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MILITARY PROTECTION

UNITED STATES GUARDS

The Use of Organized Bodies in the Protection
and Defense of Property During Riots,
Strikes, and Civil Disturbances

CORRECTED TO JULY 15, 1919



WAR PLANS DIVISION
OCTOBER, 1918

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**WAR DEPARTMENT,
WASHINGTON, October 26, 1918.**

The following manual, entitled "Military Protection, United States Guards," is published for the information and guidance of all concerned.

[062.1, A. G. O.]

BY ORDER OF THE SECRETARY OF WAR:

PEYTON C. MARCH,
General, Chief of Staff.

OFFICIAL:

P. C. HARRIS,
The Adjutant General.

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FOREWORD.

1. The protection of utilities necessary for the prosecution of the present war is one of the most important duties which confront the military authorities at this time.

2. Our domestic conditions are such that many communities are subject to industrial disturbances and sudden outbreaks of violence or the constant menace of any element of unknown size and strength with which our forces may have to contend.

3. The Militia Bureau has endeavored in the following pages to place, in compact form, practical and useful information on the subject of such duty which will prove serviceable to officers of organizations ordered on this class of duty and enable them to handle situations with which they may have to deal, such as officers of the United States Guards, Ordnance Guards, and other troops which may be called upon to supplement local police forces in quelling disturbances which have passed beyond the control of the civil authorities.

4. Riot service is one of the most distasteful duties which soldiers are called upon to perform, and the officer in command of such troops must be well trained in order to prepare his command for such a task. ✓

5. Acknowledgment is due to Lieut. Col. Byron L. Bargar, author of "The Law and Customs of Riot Duty"; Maj. Henry A. Bellows' "Manual for Local Defense," published by Macmillan Co.; and to Capt. Richard Stockton's (Second Infantry, National Guard, New Jersey) "Manual for Officers of the Organized Militia and Volunteers of the United States," for the free use of these publications. The first work mentioned is particularly recommended for advanced legal study of the subject.

6. The Militia Bureau is also indebted to the files of the War College Library for helpful information.

CHAPTER I.

LEGAL ASPECTS OF RIOT DUTY.

Troops of the Regular Army may be ordered out for riot duty under the following conditions:

1. By the President.

(a) If requested by any State and if after investigation the facts warrant it. If the legislature is in session the request must be made by that body; if not in session, then the governor may make the request.

(b) If property of the United States is being endangered or destroyed, or if the rioters are interfering with the execution of Federal laws or with the mails of the United States. The troops confine themselves absolutely to matters affecting the Federal Government. (See Article XLVII, Army Regulations, 1913, corrected to April 15, 1917.)

2. By the commanding officer of troops under the circumstances cited in (b), provided the emergency is so imminent as to render it dangerous to await instructions requested through the speediest means of communication. In this case the commanding officer will at once report in detail, by the quickest way, his actions to The Adjutant General of the Army and the adjutant general of his department.

3. Any person employing any part of the Regular Army in riots except under these conditions is guilty of a misdemeanor and, on conviction thereof, will be punishable by a fine not exceeding \$10,000, or imprisonment not exceeding two years, or by both such fine and imprisonment.

4. After the troops have been called out, the military alone must decide how its power shall be used—the civil merely says what it wishes done; the military decides *how* it shall be done. Under no circumstances can Federal troops act under orders from any civil officer of a State or municipality; State troops may be so employed. For copy of order of civil official upon a State military official, see Appendix A.

5. A riot may be defined as "An unlawful assemblage of people of threatening attitude, acting in concert, with disorder and violence and determined to accomplish some injury to persons or property in spite of any resistance which may be offered," and, under the law, the killing of any participant in the riot is clearly justifiable, if the riot can not be suppressed by less violent means.

CHAPTER II.

ASSEMBLAGE OF TROOPS.

6. Troops of the Regular Army assemble according to their drill regulations. In the case of all other troops the arms and equipment of such forces should be kept in some secure locality, such as an armory. A system of notification for assemblage should be devised by the use of telephone, bells, or whistles. Men should proceed to the place of assemblage in their ordinary clothing, in order to prevent their being seized by the rioters before they reach the rendezvous. The men first reaching the place of rendezvous should immediately clear the streets in the vicinity of such rendezvous until the arrival of the entire company.

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CHAPTER III.

TRANSPORTATION OF TROOPS.

7. Troops on the way to perform riot duty should always use special trains or automobiles. It is improper to place the extra risk of attack or wreck upon civilian passengers of regular trains.

8. In approaching a disorderly crowd do not use automobiles or motor trucks, much less street cars, if it involves detraining without protection. Once you have enough men on the scene of action to cover the operation, the use of automobiles and trucks, particularly the latter, for bringing up reinforcements is most effective.

9. Should there be any hostile feeling at the point of entraining sufficient troops should be detached to keep the crowd at a distance until the remainder are entrained. This guard would then board the train, protected, if necessary, by fire from the troops already entrained.

10. Guards should be stationed at the doors of the cars. A certain number of the troops in each car should be kept equipped and armed and held available for action. Men should also be provided to protect the locomotive and baggage cars.

11. When troops are approaching, by train, a community to which they have been ordered for riot duty, a number of sharpshooters should be placed on the pilot, as well as on the tank of the engine and on the tops of coaches, with instructions to fire upon any person committing an overt act against the troop train. When nearing the scene of disturbance the train should be slowed down, and if there is any reason to believe that dynamite may have been placed on the track, two or three flat cars should be placed in front of the engine.

12. The control of the train is in the hands of the railroad company, through its crew. However, the officer commanding the troops should not hesitate to seize it, should military necessity, in his opinion, so demand. In so doing the commanding officer should use utmost care in order to commit no act that would imperil the safety of the troop or other trains.

CHAPTER IV.

MOTOR PATROLS.

14. Automobiles can always be used to advantage in the transportation of troops from one portion of the city to another; large automobile trucks and similar vehicles being especially suited for such work.

15. Care should be taken not to run an automobile load of troops into the midst of a large crowd. The troops should dismount from the machines at some little distance from the rioters and advance on foot.

16. In the city, and to a great extent in the country as well, the best method of handling patrols is by automobile. The ordinary open touring car will hold just the right number of men, besides the driver; no motor patrol should be of less than four men if it can possibly be helped. It can cover a great amount of ground; it is fast enough to get quickly to the scene of any trouble; it provides a convenient method for bringing in prisoners; it can, at need, be sent for reenforcements; and, also at need, it can accommodate ten or a dozen men. The foot patrol, by comparison, is slow and inefficient and should only be used in a few crowded sections where an automobile might find itself blocked. The system of motor patrolling should be laid out in accordance with the military districts and each district commander should prepare a definite time and route schedule for each patrol. Points should be designated and times set at which patrols should report in by telephone. Limousines should never be used for motor patrolling, as their glass is too tempting to stones or shots. The tops of touring cars used in this service should always be folded down. A considerable part of the effectiveness of the motor patrol system lies in the fact that it is conspicuous; a would-be trouble-maker's ardor is considerably dampened if every few minutes he encounters a big car full of uniformed and armed men, obviously on the lookout for him.

CHAPTER V.

IMPORTANT GENERAL RULES OF RIOT DUTY.

17. The proper performance of riot duty requires the adoption of and adherence to general plans which are tests of the officers' ability. An ambitious officer may, by decisive action and proper disposition of troops, acquire fame.

(a) Troops should never be ordered on riot duty without an ample supply of ball ammunition. Blank cartridges should never be fired at a mob. If ball ammunition is expected from the first, moral effect is gained; it will not have to be used more than once, if at all.

(b) Never fire over the heads of rioters. The aim should be low. With full charged ammunition and the battle sight, the rifles are sighted too high for the average riot distance and are very likely to wound some innocent person in the distance. If anyone is to be hurt it should be the rioters.

(c) Temporizing with a mob is usually an exhibition of poor judgment. It not only indicates weakness, but is injurious to the discipline of the troops. A vacillating commander can not command obedience from his own force, how can he expect to control a mob?

(d) A low power cartridge is preferable for the usual riot duty. Riot shotguns with buckshot ammunition are effective at close ranges.

✓ (e) Officers and men should not fear reprisal in case one or more people are killed. The laws of most States and the common law which prevails in others provide that if it is not proven that the killing was through mere malice, wantonness, or cruelty, a soldier is not punishable for such an act, even though he uses bad judgment. When an act is committed by command of a superior it is the superior who is responsible, unless the command was manifestly illegal as soon as given. A subordinate is usually quite safe in accepting all commands given.

(f) A subordinate should never be placed on riot duty with any definite restrictions as to the amount of force to be used.

Sentries, patrols, or others detached from their superiors should be instructed to use whatever force may be necessary to carry out their orders and no more.

(g) Infantry should use great care in using bayonets against a mob many times larger. If a large mob is allowed to surround the troops and hand to hand fighting results, the soldiers lose the advantage of both their superior weapons and their training, with the probable result of greater bloodshed, if not defeat, for the troops. Cavalry may be used to advantage against a mob many times its size without resorting to rifle or revolver fire. With well-trained horses, cavalry, assisted by infantry, can best perform riot duty. The soldiers' weapons against a mob are the point of the bayonet, rifle fire, and, when mounted, a horse, a pistol, saber, or spear.

(h) Men in the front of a mob may be willing to retreat but may be prevented by pressure from behind. In such cases a frontal attack is useless. When troops meet a closely packed crowd that can not give way parties should be detached to flank the crowd and break up its rear. The flanking parties should begin their work first. The frontal party should content itself with preventing any great disorder or any advances by the crowd until the work of the flankers is well under way, when it should disperse the crowd before it.

(i) Troops should never be marched through crowded streets in times or places of riot, even though the crowd may not seem particularly hostile. In time of riots the streets should be kept clear and crowds dispersed as the troops proceed, otherwise should any incident cause trouble the troops may be caught at a disadvantage.

(j) Rioters should not be permitted to throw missiles at troops, even though they be of such nature that they cause no serious injury. It lessens respect for the troops and thereby increases the rioting. ✓

(k) Crowds should not be allowed to form. Everyone should be kept moving constantly and all small groups broken up. With no crowds there are no mobs; with no mobs there are no serious riots. The managers of theaters and places of amusement in affected neighborhoods should be instructed that no sentiments antagonistic to the restrictions of law and order will be permitted.

18. If troops start to execute a duty ordered by proper authority, there should be no stopping until the desired results are

✓ 19. When soldiers are called upon for aid by the civil authorities, it is to be assumed that it is soldiers, with soldiers' weapons, that are needed. Otherwise civilians should be sworn in as special officers and armed with policemen's weapons. Troops should not be called for until all means of restoring order have been tried by the civil authorities and failed, then recourse should be had to State forces, then to Federal forces, unless protection by law falls first upon the Federal Government.

21. Officers of troops aiding civil authorities should not permit the latter to indicate *how* their duties should be performed. The civilians may tell the military authorities what to do, but how it is to be done and the amount of force to be used are purely military and tactical questions to be decided by the military officers. In case martial law is declared the civil authorities have no power whatsoever.

23. Troops should never approach a crowd, too large to make prisoners, in such a way that it is hemmed in on all sides. If a crowd has no retreat, resistance may be greater.

25. When necessary, a few sharpshooters or expert riflemen may be placed on roofs and in high windows to fire over the heads of those in the front of the crowd and break up the rear. Sharpshooters so placed are also very efficient in breaking up the practice of throwing stones or other missiles at the troops from the rear of the crowd, as a sharpshooter from such a point of vantage can pick off individuals who so offend.

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know would be illegal if you did do them. Should your "bluff" be called, the mob would then neither respect nor fear you and the result would probably be that the mob would become more lawless and outrageous.

27. Give your men weapons they can use and which the crowd knows they are ready to use. It follows that an unloaded rifle or revolver on active service is little short of a crime. An officer who sends his men out to disperse a crowd with empty rifles deserves to have half of them brought back as casualties. Blank cartridges are covered by the same rule; there is absolutely no excuse for ever issuing them to men going out on active service. Nothing will do more to encourage a crowd to violence than the feeling that the force holding or attempting to hold it in check is "throwing a bluff" and rifles or even shotguns not intended for use against a crowd before it becomes a mob, except when held with the reserves, are always more or less patent bluffs.

28. The ruffian element of a community always takes advantage of a riot to commit acts of lawlessness and frequently they cause the most trouble. These people are entitled to absolutely no consideration and should be handled with a severe hand.

29. In case of a general riot, the troops should not be divided into numerous small detachments to quell minor disorders at various scattered points. Detached engagements without decisive or material results do nothing but exhaust the troops and encourage the rioters.

30. By means of detectives, or scouts in civilian clothing, the commanding officer should keep himself constantly informed of the movements and purposes of the rioters.

CHAPTER VI.

THE IMPORTANCE OF QUELLING RIOTS IN THEIR INCIPIENT STAGE.

31. Mobs are, by their very nature, peculiarly liable to dejection or elation; they sneak into their hiding places or swarm into the streets directly as they fail or succeed. Without discipline they can neither be checked in the excesses that follow victory nor rallied from the discouragement that follows defeat. Beaten or energetically handled, the rioter finds himself deserted by his erstwhile friends.

32. The fact that there are in society so many professional agitators, so many anarchists, socialists, thieves, cutthroats, vagabonds, and ruffians, who, with the instinct of the vulture, will seek the field of prey, on the one hand, and, on the other, with the instinct of the rat, desert the sinking ship, renders it absolutely necessary that the mob shall not be trifled with to the extent even of permitting them to seem to be victorious for a single day.

33. Psychologically at first mobs are cowards. They only gain courage as they find that those whose duty it is to suppress them are themselves cowards. A mob is not to be feared when it is first aroused.

34. It is only as its passion for carnage is whetted by taste of blood or its greed for pillage is gratified that it becomes dangerous. Upon whomsoever devolves the duty of suppression let this be his first effort: Check at the very beginning; allow no tumultuous gathering; permit no delay; a few stern, resolute words; if these be not heeded, then strike resolutely, boldly; let there be no hesitation; if necessary, take life at the outset. It will be more merciful to take one life than to suffer the mob to take the lives of many later.

35. Nothing so emboldens a crowd as passive resistance, and it should never be allowed. Any man in a crowd, on a roof, or at a window who is seen to fire a shot, throw a stone or other missile, or assault a soldier should be shot down by a sharpshooter.

36. Mobs, as a rule, are made up of cowards, not necessarily physical cowards, but moral cowards—moral cowards because of their consciousness of being in the wrong, of being lawless. The most cowardly members of a mob are generally in the rear, which is, therefore, the weakest, the most vulnerable part. Having neither discipline nor organization, the very moment a break is started, the rest will follow like so many sheep. The logical point to attack mobs is, therefore, the rear and flank. If it be not practicable to send a part of the command to attack in rear, practically the same result can be obtained by dispatching, if practicable, sharpshooters to the roofs or upper stories of houses, from which they can pick off rioters in the rear of the mob. The picking off of a few rioters there will generally cause others to flee and they in turn will be joined by the rest of the mob.

37. Attention is invited to the fact that although a number of persons in the front of a mob might be killed and wounded, the rest would not be able to get away because the crowd in rear, many of whom would not even know what had happened in front, would act as a barrier, while, of course, those in front would not flee in the direction of the main body of soldiers.

38. A squad of police should accompany each body of troops for the purpose of making arrests. They may march in the line of file closers or inside a hollow square, sallying forth from time to time to make such arrests as may be necessary and returning with their prisoners.

39. When approaching the scene of trouble, advance guard main body, rear guard—the hollow square formation—or some other suitable formation, should be assumed, the front and rear companies extending curb line to curb line and selected sharpshooters walking on both sidewalks so as to be able to cover the windows and roofs on the opposite side of the street.

Under no circumstances should a crowd be permitted to stand on the sidewalks while troops are marching through the street.

CHAPTER VII.

MARCHING THROUGH AND CLEARING CITY STREETS.

40. In many instances it will be necessary for the commanding officer to march his troops to the scene of disorder through a section of a town or city where rioters or insurgents may be attempting to impede the progress of the troops. Unless promptly and effectually cleared out this class of opposition may be attended by difficult obstacles and many casualties. The street column formation may be used advantageously, but there is always danger of shots or missiles from the roofs of buildings where miscreants of the bushwhacker type have stationed themselves. To resist attacks of this nature a group of advance detachments may be employed near the walls of the buildings.

41. Commanders can prevent individuals from firing or throwing missiles from upper windows and roofs by selecting eight good shots (experts or sharpshooters) to precede the company by a few paces, four upon each side. It is their duty to watch the windows and roofs on the side of the street opposite them and to glance down all side streets and alleys. Other men may be similarly employed in the rear of the command. The company or main body may be marched in column of squads, column of platoons, or in line. The men acting as sharpshooters fire promptly, if so instructed, whenever they see a person about to throw something or fire at the troops. Usually it will be sufficient to shatter the window or hit the ledge of the roof rather than the person, but when these attacks become serious the sharpshooters should aim directly. These sharpshooters should be under the command of an officer especially fitted for the work.

42. The first right-hand man will look straight ahead and down area ways, into stairways and other places of concealment on his side of the street. The other three right-hand men will watch the windows and the housetops on the opposite (left) side of the street. The four left-hand men will perform similar

duties, the first looking into halls and dark entries and the other three watching windows and the housetops on the right side of the street. Members of this street detachment should have orders to fire in time to prevent the injury or death from ambush of any member of the military force. When the proximity of a mob causes the street detachment to close in on the main body, the men who composed it can still perform the special duty of watching housetops, etc.

43. Troops marching through streets should always have advance and rear parties. The advance party drives the crowd before by the use of bayonets and the rear party prevents the crowd from closing in on the troops' rear. The strength of such parties will vary with the number of troops and the size and the temper of the crowd.

These parties may be reenforced from the main body as the occasion requires, but under all circumstances a portion of the main body should be held as a reserve.

44. It may be necessary to cover a number of parallel streets with bodies of troops as just described. When all columns reach the same cross street, communication should be established and then the forward movement is resumed.

If columns are stopped in the middle of the block, those reaching the cross streets are in position to attack the flanks of the obstruction.

45. **Use of bayonet.**—The bayonet is the greatest moral factor in well-trained troops. When the mob is to be dispersed, the bayonet should first be resorted to without hesitation. The only qualification is that an order to disperse should first be given, so that it can be heard, in the event that the mob is not actually engaged in the commission of a felony which prohibits waste of time. Mounted troops armed with ax handles or sticks are very effective in dispersing mobs. Water from a fire hose may sometimes be used with good results. Lachrymatory or tear gas is also efficient. The use of the butt of the rifle on the toes of the front rank of a timid mob has been known to work well. This, however, is attended with danger that aggressive rioters may wrest the piece from the hands of the soldiers.

46. In some cases women and children, a number of the former carrying babes in their arms, have been placed at the head of the mobs. In such cases the mob should be attacked in rear. A small force can almost always completely demoralize the rear of a mob, and mobs should, whenever practicable, be so attacked.

47. Night guards.—Where large areas are to be covered at night a system of picket posts and sentries is often advisable. Protective lighting, as hereinafter described, is also very advantageous.

(a) A reserve is established and furnished with means of quick transportation with which squads may be carried to any point where disorder exists.

(b) In neighborhoods deemed to be dangerous two sentries should be assigned to each post, even at the cost of curtailing the number of posts.

(c) A lone sentry at the corner of two alleys at night is a temptation to the vicious. His attention may be attracted and engaged by one ruffian while he is quietly sandbagged from behind by another. Conversation by sentries not in line of duty should be prohibited. The appearance of friendliness by a rioter may be the cloak for an intended crime.

CHAPTER VIII.

ATTACK OF CITIES WHEN ARMED RESISTANCE IS EXPECTED OR WHEN IN POSSESSION OF THE ENEMY.

48. The battalion, which may be regarded as a working unit under such circumstances, has four objectives:

- (a) The clearing away of all opposition.
- (b) Searching for arms, etc.
- (c) Collecting arms.
- (d) Providing a guard for the occupied section.

49. Under the first objective a force assigned to clear away opposition in a street should be organized into the following groups:

- (a) Street detachment.
- (b) Roof detachment.
- (c) Searching detachment.
- (d) Main body.

The strength of the detachments will depend upon the amount of opposition encountered; generally one or two squads are sufficient for each detachment.

(a) *The street detachment.*—This unit operates along the street and in advance of the searching detachment. It clears away all opposition in the street, in windows, doors, window porches, etc. It advances from one cross street to the near side of the next, and then awaits orders. The advance is made with a column of files on each side of the street, such cover as is afforded by doors, windows, etc., being utilized. When the next cross street is reached the detachment does not cross it, but responds from concealed positions to any hostile fire delivered from the adjacent blocks on the cross street. This action combined with that of the roof detachments should clear out any opposition on the cross street.

After opposition on the cross street is disposed of and the roof detachment of the same organization has reached the top of the houses at the near side of the cross street, word is sent

to the officer commanding the street detachment. After the searching detachment has completed its work, he has a flag or handkerchief, etc., raised in the cross street to indicate his readiness for a new advance.

The commander of the street detachment, after assuring himself of the readiness of all troops, signals by his whistle, etc., for the entrance into the next block, which should be made simultaneously by the whole group.

(b) *The roof detachment* should be under charge of an officer or experienced noncommissioned officer; it is divided into two sections—one for each side of the street. These sections gain the roofs at once and gradually advance as far as practicable from roof to roof until the last roof of the block is reached. From this point the detachment disposes of any opposition located on roofs or in houses on the opposite side of the cross street it is operating on. The fire of this detachment must be directed to its front. Flank and cross fire would endanger friendly troops. The detachment remains on the roofs of the houses on the near side of the cross street until a new roof detachment has gained the roofs of the houses on the far side. When this action is about to be taken the old roof detachment should be so informed. The old roof detachment joins its main body when the new (advance) roof detachment is in place.

(c) *The searching detachment* works in as many groups as practicable, designated as needed by the officer in command of the street. These parties systematically search every building and yard and every room in every building of its half of the block. Houses may be frequently approached with less opposition from interior courts or yards, as the danger is generally expected by the occupants thereof from the street. The search must be very thorough, probable hiding places discovered, etc. The principal object of this slow and deliberate occupation of the town is to secure all arms during the first stages of occupancy and thus prevent sniping and disturbances later on. The importance of this work must be impressed on the men. All arms and ammunition found by the detachment are placed in the street in one pile for each block.

Special details should be made under the charge of an officer for the collection of arms. Carts, etc., should be impressed and used for this purpose. The arms, piled in each block by the firing line, should be carted to some central place in the battalion section and held for orders from higher authority.

(d) *The main body of the street force is utilized to reinforce the street, searching, etc., detachments. This force is held under cover of a cross street until the next cross street is cleared, when, by a rapid advance, it gains the cover of that street. New roof detachments, etc., are then made for the next advance.*

50. As the firing line clears out the various blocks guards should be detailed from the searching detachment to observe this part of the district and to watch the arms until the collecting detail has taken them away. Guards should immediately inspect areas assigned them to see that no houses have been overlooked by the searching parties. In some cases where resistance is particularly bitter it may be necessary to evict all the inhabitants of some blocks.

51. The support may find frequent opportunity for a free advance on one street with the object of flanking the barricades, etc., on another.

CHAPTER IX.

MEETING AND DISPERSING A MOB.

52. On approaching the rioters the commanding officer should carefully view the situation and make his disposition.

53. When the crowd is not very deep the commanding officer may make a frontal attack. He should, if possible, warn the crowd to disperse, the troops remaining in motion. In many cases the mere steady advance of the troops will cause the crowd to fall back.

54. In making any attack on mobs, it must be remembered that troops coming into contact with a mob are usually greatly outnumbered. Their weapons used as clubs are heavy and unwieldy, and if hand-to-hand fighting ensues, it will probably result in the defeat of the troops. It should, therefore, be a rule of riot duty *not* to permit serious hand-to-hand fighting to take place. According to military principles, the easy and proper way to prevent it would be at once to defeat the crowd from a distance by the use of rifle fire. However, a natural desire to avoid killing fellow countrymen will in most cases prompt the commanding officer first to try the use of the bayonets.

55. Should the mob break through the attacking party the time for the reserve to begin firing will be at hand. Ordinarily the troops will be deployed in strong lines or columns the full width of the street before the mob is encountered. These lines may be so arranged that they can be successively turned so as to force the mob down the various highways which lead from the place of assembly. There are instances where the men can advance at port arms and the butt end of a musket can be swung forward when occasion demands.

56. The use of the butt of the rifle against mobs is always attended with the danger that the rifle may be seized and wrested from the grasp of the soldier. Soldiers should be impressed with the idea that the business end of his weapon is the point of the bayonet and the muzzle, which should be kept toward the enemy.

57. If soldiers are acting lawfully in the line of their duty in suppressing a riot, and the mob or any members thereof makes an attack upon them which endangers the life of one or more soldiers, rifle fire may be resorted to in resisting the attack and defending the lives of the men of the command. Whatever force is requisite is lawful. When a mob is first encountered unnecessary hesitation of troops will have a bad effect; things must be done sternly and promptly. An order to disperse before making an attack is necessary where civil authorities are in control, except where a mob is in the actual perpetration of a felony when first encountered. It may be advisable to give the members of the mob two or three minutes in which to disperse. If such order is disregarded, then use the bayonet unless members of the mob actually open fire upon the troops.

58. **Verbal abuse.**—Little attention need be paid to oral insults, but to prevent verbal abuse from working the rioters up to overt acts the taking of a few prisoners is sometimes advisable. An officer should not make a speech to the mob in which he threatens rifle fire for commission of a misdemeanor. Such threats have the effect of a dare and should therefore be avoided.

CHAPTER X.

TACTICS.

59. The tactics will be determined in every case by the nature of the problem the commander is required to solve. He may be called on to do anything from arresting a single criminal in uninhabited country to fighting a pitched battle with an armed mob in the city streets. It is impossible to lay down rules applicable throughout so broad a field. Four main types of tactics may be indicated:

(a) Crowd, (b) mob, (c) open country, and (d) interior.

DEFINITION OF CROWDS AND MOBS.

60. Of these four types, crowd tactics are by far the most important. Every mob starts as a crowd and, since the first object is to prevent the crowd from developing into a mob, it is clear that a sound system of crowd tactics, effectively carried out, will fulfill the mission of the troops. Most trouble in towns and cities, in its initial stages, is a subject for crowd rather than mob tactics; strikes, industrial disorder, and even race riots almost always start with crowds which if caught in time can best be handled without the application of tactics suitable and necessary for quelling a fully developed mob. Regular troops are seldom called out to handle a mere crowd, and even the National Guard or Home Guards are rarely used until the mob stage has been reached.

TRANSITION FROM CROWD TO MOB.

61. A crowd assembled for an unlawful purpose is cowardly. It hesitates to commit itself to a course of unrestrained violence, even though some of its members may be guilty of violent acts when they think they have a good chance of escape. It may be noisy and threatening, and if left to its own devices is very likely to commit assaults and depredations which will excite it to the mob pitch; but just as long as the crowd is kept well in hand its collective cowardice remains its most striking feature. The

subtle change by which a crowd becomes a mob is a thing never forgotten by anyone who has seen it. An apparent weakening of the forces holding the crowd in check, even though it be but momentary, may suffice to bring about the transformation; a single piece of audacious violence successfully carried through; two minutes' harangue by a fiery leader; or the appearance on the street of a conspicuous and hated figure. It is the business of the commanding officer to see that this change does not take place, for the formation of a mob means bloodshed and destruction before the fear of the law is restored to its proper power.

62. For the reason that crowd tactics form the basis of the work of any commanding officer on riot duty, they will here receive a more thorough consideration than the other types. Crowd tactics may be defined as the principles governing the operations of an armed and disciplined body against a considerable group, or number of separate groups, which is disorderly and inclined to violence, but which has not as yet temporarily lost its collective sense of fear. A mob, on the other hand, is distinguished by the fact that, under the stimulus of intense excitement, its members have actually lost all sense of fear of the law and can only be brought to their senses by an overpowering demonstration of force.

ABSENCE OF LEADERSHIP.

63. The cowardice of the crowd is due to the lack of unity among its members and the half-heartedness of many of them for any enterprise involving danger. A large part of any disorderly crowd is made up of mere spectators—good material for the mob spirit to work on, but in the beginning perfectly harmless. The proportion of determined trouble-makers in a city crowd before it has fairly "got going" is probably not 1 to 10. The leaders, the real sources of danger, are rarely in the front ranks, as is commonly supposed; they are far more likely to be circulating through and in the rear of the crowd, awaiting a good opportunity to throw a stone or fire a shot. Genuine leadership at this stage is conspicuously absent, and it is this fact that gives the disciplined unit, immediately responsive to the will of its commander, its greatest advantage.

"GETTING THERE FIRST."

64. In no other form of military service is it so true that the first blow is half the battle; if the men can not be brought to-

gether at the point of danger quickly enough to prevent a crowd from forming, the hour or two of delay may mean the necessity of mob tactics and loaded rifles. It should be impressed on every officer in the command that the proper time to deal with a crowd is an hour or so before it has begun to form.

65. The change from confusion to unity under sudden leadership, from the vacillating crowd to the determined mob, may come in a minute's time, and nothing is so likely to bring about the change as a single successful act of violence. It is therefore a cardinal principle of crowd tactics to "get there first." If a crowd can be prevented from forming, the work of the troops is done almost before it has started. Crowds may form rapidly, but they very seldom do so without giving previous warning. For instance, a meeting of strikers, malcontents, Industrial Workers of the World, or other potential trouble makers may at any time prove the first step in the formation of a disorderly crowd. The fact that such a meeting is being held should, in any period of local unrest, be sufficient warning to the officer in command that trouble may follow; the critical moment is the one at which the meeting breaks up and the people attending it come out on the street. The sight of a few squads of armed men, though it may lead to jeers and abuse, will send the timid and half-hearted members scurrying to their homes, leaving the bolder spirits without support, and consequently powerless to start trouble. The indoor meeting is the chief originator of the outdoor disorderly crowd, and since the fact that such a meeting is to be held is generally made public in advance the commander of troops has an opportunity, therefore, to take the crowd by surprise. The neglect of such an opportunity may prove costly.

A. CROWD TACTICS.

66. Drill in the special formations pertaining to crowd tactics should be frequent and vigorous. The formations themselves may be learned in the drill hall and should all be practiced from a halt and from the march at both quick and double time. Their uses should, whenever possible, be practiced on the streets, in freight yards, or in any similar places where they might be used on active service. As soon as the men are fairly proficient in assuming the formations actual problems should be set before them. A street to clear, an arrest to make, a building to guard, and so on. The formation should frequently be used against resistance.

FORMATIONS FOR CROWD TACTICS.

67. With firearms virtually debarred from crowd tactics the riot stick becomes the chief offensive weapon. Since the combat tactics designed for infantry are based exclusively on the use of rifle fire and the bayonet it follows that they can not possibly prove altogether adapted to conditions based on absolutely different weapons. It is necessary, therefore, to devise special formations for use against crowds. An occasional dash of football tactics in drill, in order to try out the special crowd formations, will do much toward fitting the men to meet actual resistance with steadiness. The fundamental point of difference is this: That in infantry combat tactics it is essential that no man in the firing line should even partially mask a comrade so as to interfere with his field of fire.

In the bayonet charge the same principle holds good; each man must have a free field for the use of his weapon without having to fear lest he should plunge it into a comrade's back. Thus, the basis of Infantry combat tactics is the single deployed firing line, with supports and reserves to reenforce it, and the single deployed charging line, which may, and normally does, form one "wave" in a series, each wave being well separated from the one preceding it. *Example:* A platoon in skirmish line is endeavoring to clear a crowded street. Resistance is unequally distributed, and where it is stiffest the line makes slow progress. Thus it becomes concave and at the very points where the greatest degree of concentration is necessary to overcome resistance the men are pulled farthest apart. There is little or no opportunity to concentrate the strength of the entire unit where it is needed and a complete break in the line necessitating the use of reenforcements to patch it up may easily result.

68. If the platoon is in close order, the rear rank man is practically useless, because his file leader completely masks him, and he has no opportunity to bring his riot stick into play. Moreover, the front of the platoon is greatly contracted; even allowing for the guides, a platoon in close order occupies only a width of 39 feet, whereas the street to be cleared may be 70 or 80.

69. If, on the other hand, the platoon is in wedge or wedge-and-diagonal formation, every added pressure tends to bring the men closer together and thereby strengthens the line. The men are all in contact with the crowd, and there is no injurious

masking. Finally the platoon occupies the same amount of front as in an ordinary deployed line.

70. Football principles are better suited for crowds—"buck the center," "skirt the ends," etc. For crowd tactics the following formation, which may be formed by a squad or platoon should be adopted: Figure 1.

THE WEDGE.

(a) The squad being in line, assembled, to form wedge: 1. SQUAD; 2. WEDGE.

The squad leader gives the command and at the command of execution springs about three paces to the front, in front of No. 3 front rank. The men, moving at a run, post themselves in two

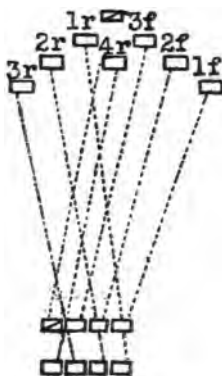


FIG. 1.
Squad wedge from
line assembled.

lines to his right and left rear, each man one-half pace behind and one-half pace to the right (or left) of the man ahead of him. The front-rank men are on the squad leader's right rear, No. 3 nearest him, then No. 2, then No. 1. The rear-rank men are on his left rear, No. 1 nearest him, then No. 2, then No. 3. No. 4 of the rear rank follows the squad leader and takes position inside the wedge. If the movement is executed from a halt, the squad leader and the men halt when they reach their proper positions; if the squad is marching in quick time, the wedge continues to advance in quick time and, if in double time, the wedge advances in double time. The squad leader sets

the wedge in motion from a halt and regulates its gait and direction, with the command, FOLLOW ME.

(b) The squad being in wedge formation, to assemble in line: 1. ASSEMBLE; 2. MARCH.

If at a halt, the squad leader stands fast; if marching, he halts. The men resume their proper positions with relation to the squad leader.

(c) The squad being in wedge formation, marching at quick or double time, to march to the rear: 1. TO THE REAR; 2. MARCH.

If marching at quick time: All the men execute **To the Rear, March** (Infantry Drill Regulations, par. 72). No. 4 of the rear rank takes the double time for about six paces, when he resumes the quick time. No. 1 rear and No. 3 front rank take the double time till they are one-half pace to the rear and one-half pace to the right and left, respectively, of No. 4 rear rank, when they resume the quick time. No. 2 rear rank and No. 2 front rank execute the same movements with relation to, respectively, No. 1 rear rank and No. 3 front rank. No. 3 rear rank and No. 1 front rank simply execute **to the Rear, March**. The squad leader follows No. 4 rear rank, taking position inside the wedge.

If marching at double time: All the men except No. 4 rear rank assume quick time before executing **To the Rear, March**. No. 4 rear rank executes **To the Rear, March**, and continues at double time; the other men resume the double in time to take their proper relative positions with regard to No. 4 rear rank, as indicated in the preceding paragraph.

NOTE.—It will be seen from the foregoing that the squad in wedge formation, when marching to the rear, simply turns itself inside out, No. 4 of the rear rank becoming the apex of the wedge in place of the squad leader, who assumes No. 4 rear rank's normal position inside the wedge.

The wedge formation may be assumed by a platoon of four or more squads, but in general this formation will not be used, the wedge with flanking diagonals being normally more effective for so large a unit. The platoon forms a wedge by the same methods as those prescribed for the squad, except that the platoon leader, before giving the command, **PLATOON, WEDGE**, indicates the center of his platoon. Squads to the right or in advance of the center form on the platoon leader's right rear; those to the left or behind it form on his left rear. To assemble the platoon from wedge formation, the platoon leader commands, **ASSEMBLE, MARCH**, and indicates the point of rest. The squad leaders bring their squads into position successively.

THE DIAGONAL.

(d) The squad being in line, assembled, to form diagonal: 1. **DIAGONAL, GUIDE RIGHT (LEFT)**, 2. **MARCH**. If the guide is right: No. 1 front rank moves forward at a run for about six paces; No. 2 front rank follows him and posts himself 40 inches behind No. 1. The other men form line to the left rear of No. 2

front rank, each man one-half pace behind and one-half pace to the left of the man ahead of him. The order of the men is as shown in figure 2. The squad leader posts himself in front of No. 3 front rank. He may, if he chooses, however, post himself

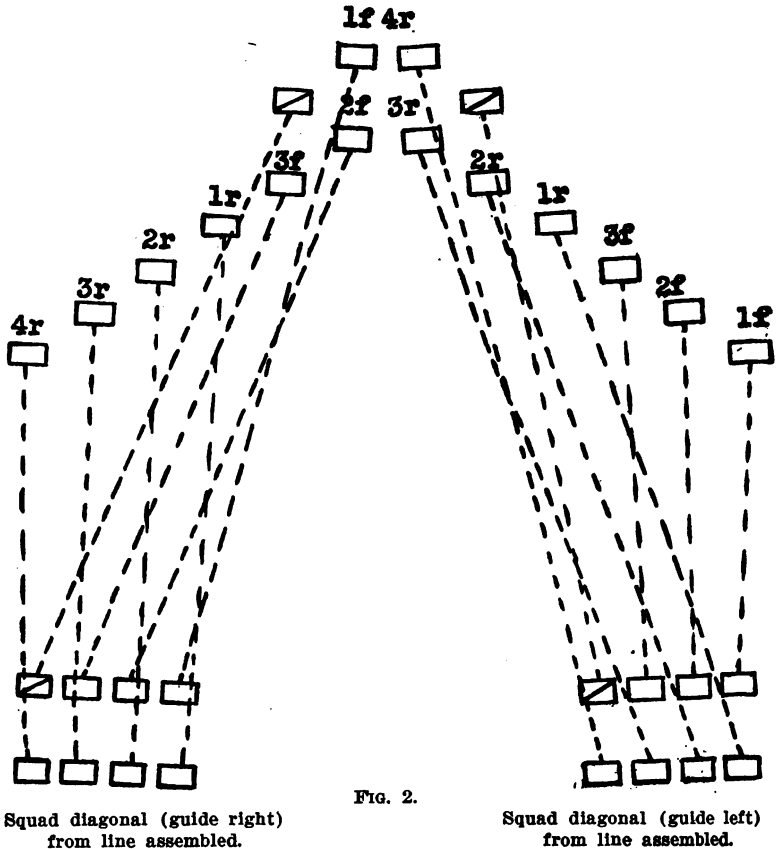


FIG. 2.

in front of No. 1 front rank, selecting whichever position gives him the better opportunity to lead his squad.

If the guide is left: No. 4 rear rank moves forward at a run for about eight paces; No. 3 rear rank follows him and posts himself 40 inches behind No. 4. The other men form line to the

right rear of No. 3 rear rank, each man one-half pace behind and one-half pace to the right of the man ahead of him. The order of the men is as shown in figure 2. The squad leader posts himself in front of No. 2 rear rank. He may, if he chooses, however, post himself in front of No. 4 rear rank, selecting whichever position gives him the better opportunity to lead his squad.

If the movement is executed from a halt, the squad leader and the men halt when they reach their proper positions; if the squad is marching in quick or double time, the diagonal advances at the same gait. The squad leader sets the diagonal in motion from a halt and regulates its gait and direction with the command, **FOLLOW ME.**

(e) The squad being in diagonal formation, to assemble in line:

1. ASSEMBLE, 2. MARCH.

The squad leader takes position in front of the squad and halts; the men assume their proper positions with relation to the squad leader.

(f) The section being in line or column, assembled, to form diagonal: **1. DIAGONAL, GUIDE RIGHT (LEFT), 2. MARCH.**

If the guide is right: The first (right or leading) squad executes Diagonal, guide right, March, as prescribed in subparagraph (d), except that the squad leader posts himself behind No. 1 of the rear rank and that No. 1 front rank moves forward about 10 paces; the second (left or rear) squad forms successively to the left rear of the first squad, No. 1 front rank being one-half pace behind and one-half pace to the left of No. 4 rear rank of the first squad; the leader of the second squad takes post in rear of No. 1 rear rank. The section leader posts himself in front of No. 3 front rank of the first squad. If the movement is executed from a halt, the section leader and the men halt when they reach their proper positions; if the section is marching in quick time, the diagonal continues to advance in quick time; if it is marching in double time, the section leader takes quick time until all the men are in position; the diagonal then resumes the double time without command.

If the guide is left: The second (left or rear) squad executes Diagonal, guide left, March, as prescribed in subparagraph (d), except that the squad leader posts himself behind No. 1 of the rear rank and that No. 4 rear rank moves forward about 12 paces. The first (right or leading) squad forms successively to the right rear of the second squad, No. 4 rear rank being one-half pace behind and one-half pace to the right of No. 1 front rank of the

first squad; the leader of the first squad takes post in rear of No. 1 rear rank. The section leader posts himself in front of No. 2 rear rank of the second squad.

(g) The section being in diagonal formation, to assemble in line: 1. ASSEMBLE, 2. MARCH.

If the diagonal is marching it halts. No. 4 rear rank of the first (right) squad and No. 1 front rank of the second (left) squad move straight to the front till they are two paces ahead of the advanced flank of the diagonal and then halt. The squads form on them in line, No. 4 rear rank of the first squad remaining in the front rank till his squad is formed, when he drops back, and the squad leader takes his proper place.

THE DEPLOYED LINE.

(h) It is apparent from the foregoing paragraphs that the basis for all wedge and diagonal formations is the deployment of the squad with the front rank on the right (Nos. 1, 2, and 3 in succession from right to left), and the rear rank on the left (Nos. 1, 2, 3, and 4 in succession from right to left). Any attempt to utilize the standard method of deployment, with rear rank men to the right of their file leaders, for these special formations is bound to result in confusion, as the men's paths cross each other in such a way that collisions are inevitable. In order that the deployed line formation may be assumed quickly and without confusion from close order, the wedge, or the diagonal, it is therefore essential that it, too, should be based on the principle of the front rank forming on the right, the rear rank on the left. Only in this way can each man always be sure of his exact position in each formation. The dissimilarity between this and the standard deployment makes a separate command desirable.

(i) The squad being assembled in line, in wedge, or in diagonal, to form deployed line: 1. DEPLOY, 2. MARCH.

No. 3 front rank springs about three paces straight to the front. Moving at a run, the men place themselves at half-pace intervals to his right and left, Nos. 2 and 1 front rank successively to his right, Nos. 1, 2, 3, and 4 rear rank successively to his left. The squad leader posts himself either in front of or behind the center of the squad. If the movement is executed from a halt, the men halt as they come on the line established by

No. 3 front rank; if the squad is marching in quick or double time, the gait is maintained (see fig. 8).

(j) The section, platoon, or company being in any formation, to form deployed line: 1. DEPLOY, GUIDE RIGHT (LEFT, CENTER), 2. MARCH.

The announcement of the guide indicates the base squad. The deployment proceeds as in the standard deployment (Infantry Drill Regulations, pars. 206-210), except that each squad is deployed on the line as described in subparagraph (i).

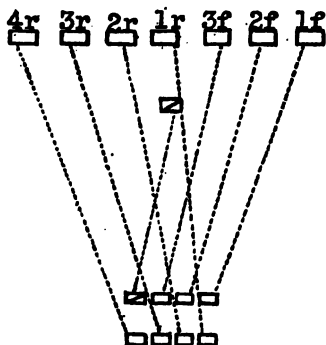


FIG. 8. Squad deployed from line assembled.

The assembly from deployed line is likewise executed as in the standard assembly (Infantry Drill Regulations, par. 211), except that each squad assembles on No. 3 front rank.

The wedge will be formed from the deployed line by the same commands and according to the same principles as from close order (subparagraphs (a) and (b)), except that the leader will normally take a somewhat greater distance to the front. The diagonal will likewise be formed from the deployed line as described in paragraphs (d) and (f).

For combination of wedge and diagonal, the deployed line is shown in figure 4.

EMPLOYMENT OF THE WEDGE.

71. The wedge is the normal offensive formation for breaking up, splitting, or striking into a crowd. It will not normally, by itself, clear a street or other open space, but it will so effectually split a crowd that clearing up whatever may be left is an easy

matter. The platoon is the proper unit for work in the roadway of an ordinary city street, while the squad is best for the sidewalks. The squad wedge is the ideal formation for making an arrest out of a crowd—an operation which almost always provokes resistance. The wedge plunges into the crowd; the squad leader seizes the person to be arrested, and the squad executes *To the Rear, March*. The squad leader and his prisoner are thus covered by the two flanks of the wedge. If the movement is exe-

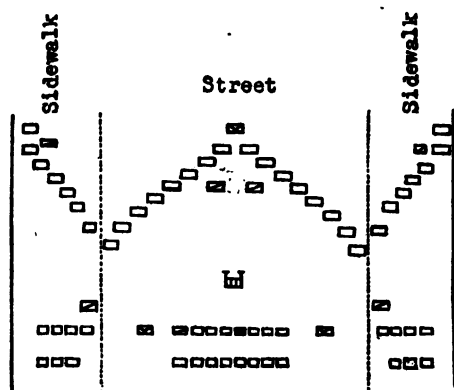


FIG. 4.—Platoon in wedge and diagonal formation with platoon in support.

cuted, as it always should be, at a run, the chances are that the arrest will be made and the prisoner conveyed safely away before the crowd fully realizes what has happened.

SUPPORTS.

72. In general none of these special formations, with the exception of the squad wedge for making an arrest, should ever be used without an adequate support. For the wedge and diagonal the support should, as a rule, be at least equal in strength to the front line. It should follow the front line closely enough to be able to reinforce it at need without a moment's delay and yet not so closely as to lose its own freedom of maneuver. Five to ten paces between a squad wedge or diagonal and its supporting squad and 10 to 15 between a platoon wedge or diagonal and its supporting section may be accepted as normal. The support should march in close order unless there is good reason for not

doing so, as it can be much more easily handled, particularly toward the flanks, when it is assembled than when it is in any extended formation. The leader of the support should march in advance of his command. A defensive deployed line should always have a support, but the support may often be considerably weaker than what would be required for an attacking formation.

RESERVES.

73. It is as true of crowd as of any other tactics that the commanding officer should maintain as large a reserve as possible, which he will not use until it is absolutely necessary. Having sent his reserve into action, he will take the first opportunity to form a new reserve from units temporarily disengaged, or from new units sent up from the rear. The reserve is the commanding officer's most effective means of making his will felt; without it he is powerless in case affairs take a suddenly adverse turn. The reserve should be as strong as possible and should include men armed with rifles and shotguns, in case conditions become such as to necessitate a change from crowd to mob tactics. It should normally be held in close order in a position where its flanks and rear can be readily protected.

The reserve should not be dissipated by sending squads of it here and there; when used, it should be used as a unit, for the purpose of striking a crushing blow.

PLENTY OF MEN NEEDED.

74. In order to provide adequately for supports and reserves it is of the utmost importance to have plenty of men. "Never send a boy to do a man's job" is an excellent rule for every commander to remember—and a disorderly crowd is always a man's job. It is not necessary, or advisable, to throw the largest possible number of men into the attack, but whenever a disorderly crowd has formed every man of the command who can possibly be spared from other duties should be on the ground, in the front line, in support, or in reserve. On the same principle no subordinate commander should ever hesitate for a moment about asking for reinforcements whenever he thinks he needs them. Some officers have a wholly mistaken idea that this is a sign of weakness; the real proof of weakness is the vanity which leads an officer to risk his men's lives in order to make a grandstand play. If no reinforcements are available, the officer must do the best he can without them; but when things look

threatening, he has not done his full duty by the men under him until he has put the responsibility up to his superior.

ONE MAN IN COMMAND.

75. Whether the unit for the moment is a squad, battalion, or a regiment, there is one man, and one only, in command. He may make mistakes, but it is infinitely better that he should make them and have his men obey his orders than that some of them should endeavor to correct what they take to be his errors by acting in opposition to orders and according to their own judgment of what should be done. It takes years of military training to instill this idea into some men's heads. It is, however, worth far more than all the work it has cost when an officer sees a unit operating with perfect steadiness and cohesion in the face of danger and knows that he can direct the entire force of that unit wherever he chooses with the same certainty as that with which he can control the discharge of his own pistol. The figure is worth remembering; the disciplined company is a smoothly working automatic pistol, the seven bullets from which can be directed at one target, or at seven, with no fear that a single one of them will fail; the undisciplined company is a rusty match-lock gun, slow to operate, capable of firing only one shot without reloading and likely to miss fire at the critical moment.

DECISION.

76. When you come close to a crowd do something decisive at once. Never halt your command and thereby give the appearance of indecision. If you can not attack at once, occupy some position which may be used as a base for attack later. In any event, keep your men moving. Conversely, keep under cover until you are ready to strike.

SURPRISE.

77. Surprise is of great value in attacking a crowd. If you can strike at it from an unexpected angle, or at an unexpected moment, your task will be made much easier. In your preliminary survey of the tactical situation always consider whether a surprise attack is possible.

FORCE.

78. Make your first blow a hard one, using your full force, except for the necessary reserves. Do not encourage the crowd by experimental attacks.

FLANKS.

79. Remember that the flanks of a street crowd are always its long sides whatever way it may be facing. If you attack on one of the short sides, you will have to push against the whole mass of the crowd; if you attack on a long side, you will encounter far less resistance, due to lack of depth in the crowd and often can split the crowd in two or more parts.

DIVISION.

80. Do not attempt more than you can thoroughly accomplish with the force you have in hand, making full allowances for the requisite supports and reserves. If the crowd is too large to be dealt with as a whole, split it into two or more parts and disperse the parts separately.

PLAN.

81. Formulate your plan of action before you strike; see that your subordinates clearly understand it and then stick to it.

REPORTS.

82. Keep in close touch with headquarters and see that your subordinates on detached duty keep in close touch with you. Often a report that everything is quiet is exactly the most useful information that can be sent in.

PATROLS.

83. When a crowd is once definitely broken use patrols, and particularly motor patrols, extensively to keep the streets open and direct them to break up immediately any threatening groups which may form.

CONCENTRATION.

84. Never scatter your forces widely, but hold them together. When many patrols are out be sure you have a strong reserve, with means for its rapid transportation, in case of trouble. Do not send your men out singly or in groups of two or three to guard street cars, trucks, freight or passenger cars, but use motor patrols of at least four men for this service. A man on a street car or passenger car is in a peculiarly poor position to protect either it or himself.

B. MOB TACTICS.

85. Mob tactics differ from crowd tactics in this, that a battle with a mob is almost sure to be short, sharp, and decisive, whereas it may take a considerable time to dispose of a crowd. Unless a mob has thrown up barricades or fortified itself inside a building or group of buildings, a few volleys are likely to

THE ATTACK ON A MOB.

86. A mob should always be attacked, if possible, on *two* adjoining sides at once. An attack from one side only has the effect of merely crushing that front, without breaking the mass of the mob. On the other hand, an attack from *three* sides provides too little opportunity to get away for those who should be allowed to escape. Moreover, an attack from three sides involves the danger of exposing men to fire from their own comrades. If a street mob has formed before the troops reach the ground, it should be approached by parallel streets, so that when one platoon or company halts and deploys the other can proceed till it can turn into a cross street, and so attack the mob in flank. If the mob has formed because of the failure of applied crowd tactics, the commander should at once endeavor to send a flanking force from his unit to work round to a position whence it can deliver a flanking attack. Splendidly executed movements showing well-disciplined troops are effective. A line of bristling bayonets across a street from wall to wall backed up by disciplined men ready to fire possesses a moral strength that mobs rarely oppose. The moral effect of bayonets when in the hands of men trained to bayonet fighting can hardly be overestimated.

87. The officers must never permit themselves to forget their responsibilities when dealing with a disorderly mob. This is particularly true of the company commander. Often the temptation to "get into the scrap" is so strong as to seem almost irresistible, but no officer has a right to put himself in a position whence he can not control his men. If a unit is ordered to charge, the commander's place is, of course, at the head of it; at such time the command FOLLOW ME has the utmost significance. Ordinarily, however, the officer must make up his mind to forego any actual contact with the crowd and post himself both where he can direct the work of his men and where he can readily be communicated with by his superiors. The

officer who is carried away by his ardor and plunges into the crowd, so as to be separated from his men, thereby shows that his proper place is in the ranks.

MOUNTED MEN.

88. No more effective way of dispersing a thoroughly disorderly crowd has ever been discovered than a charge of cavalry or mounted police, but the numbers must be considerable and the training of both men and horses excellent.

ATTACK OF HOUSES.

89. A house occupied by rioters may be either avoided, isolated, or attacked, depending upon circumstances.

(a) *Avoided*.—If a house is occupied as a place of refuge and does not annoy the passage of troops ordered to a designated point for a specific purpose it is better to avoid the house by marching around it.

(b) *Isolated*.—However, if a house so occupied would be a menace in the rear of the troops, or an obstacle to their retreat in case of defeat, it would be better to isolate or blockade it, or the square in which it is located.

(c) *Attacked*.—But if a house is occupied as a place of refuge or defense by defeated rioters, or as a flank defense of a barricaded position, or as a vantage ground for fighting; or if for any other reason it becomes necessary to dislodge the occupants, the house must be attacked. A direct attack should never be made if it can be avoided, but if made the interior defenses should first be destroyed by artillery fire. Infantry can also be used against ordinary buildings with good effect.

If the houses occupied are a part of a block of houses, possession is obtained of the first unoccupied house on the block. If the roofs are flat, the first occupied house is attacked by way of the roof, gaining access through the scuttles or by cutting holes in the roof. If the roofs are steep, holes are made through the walls of the top story. It is infinitely better to fight downward than upward, and the latter should not be attempted if there is any way of avoiding it.

Hand grenades or light dynamite bombs dropped down the roof scuttles or chimneys are good preliminaries to the descent of the troops.

After getting into a house there must be no pause in the attack; the defenders must be closely followed from room to room

and floor to floor until resistance ceases or they have been driven into the hands of the troops in the streets.

Troops attacking a house should, if possible, always approach from the right and keep close to the wall, as this will compel the defenders to expose a large part of their own bodies in order to fire, thus affording a better target for the sharpshooters in the building opposite.

To force an entrance into a house under these conditions, small bags of gunpowder nailed against the doors and windows and exploded are very effective, but, of course, artillery is the best means with which to open a passage into a block of houses. The occupants can be starved out.

A very strong door, even if barred and bolted, can be blown open by 10 pounds of powder. A rifle bullet fired into a lock will generally destroy it.

BARRICADES.

90. When it becomes necessary for troops in order to save life and property to use barricades or other defensive works, they may be erected from almost any available material. If time permits, this is often accomplished with the consent of the owner of the material, for this same property may be destroyed if not so used.

91. Barricades should be constructed of plankings, filled with earth, cement, stones, etc.; wagons with their wheels removed filled with earth, barrels, boxes, and bales of merchandise; casks filled with stones; counters; trees; signs; rolls of carpet or matting; filled sacks; mattresses, etc. It is important, however, that whenever practicable earth or similar substances should be used. Stones and like material, which would be likely to chip off upon being hit by a bullet, should always be covered by some material that will prevent splinters from flying and injuring the defenders. In constructing barricades it should always be attempted to make the outer side difficult for attackers to climb. Telephone, telegraph, or other poles and trees should be felled. They will be useful in erecting the barricades, and those to the front might afford cover to the attackers. Barricades should be on high ground, and in city streets should be somewhat removed from the street corners. Barbed wire is the military barricade on the battle field.

If it becomes necessary to make a direct attack on a barricade artillery is indispensable. The artillery is supported by

the infantry designated to make the assault and which is kept under cover as much as possible. The artillerymen are protected from the fire of rioters on overlooking houses by improvised epaulements. Sharpshooters properly stationed prevent any return fire from the barricade and any attempt by its defenders to repair breaches. Detachments of infantry are started from the first available house on each side of the street, fighting their way from house to house until they reach the houses flanking and overlooking the barricade. When they have reached that point the infantry in support of the artillery makes a direct assault on the barricade, unless it has been abandoned by this time.

92. An enterprising commander, with a small force of courageous men, may sometimes surprise and capture a barricade in the night by watching the opportunities offered through lack of discipline and improper guard duty on the part of its defenders.

93. In defending a barricade the probable method of attack must be considered. It is important that no opportunity be afforded attacking parties to gain positions from which they can fire accurately on the defenders. Therefore buildings, roofs, platforms, etc., which are in the street immediately in front of the barricades must either be made untenable, destroyed entirely, or occupied by friendly troops.

Barricades should be flanked or taken from the rear or fire may be directed upon defenders in many cases by troops placed in high windows or on roofs nearby.

94. Captured barricades are immediately removed or destroyed. The troops should keep the streets clear of all material suitable either for use in erecting other barricades or for missiles.

DEFENDING BUILDINGS.

95. "No building should be defended from within itself until all its outlying defenses have been forced." ✓

96. Industrial and commercial buildings can best be protected by outguards (varying in size with conditions) at some little distance from the building, while a line of sentries may be placed nearer as an interior guard. No persons should be allowed to pass either the outguards or the sentries unless they are recognized as having the proper authority. When considered necessary the outguards may construct barricades and sharpshooters may be posted in positions of advantage.

97. If it is probable that the attackers will be well armed, all things near the building which would afford them cover should be destroyed and in any case cover, not of great value, should be removed. The destruction of public or private property in such cases should depend upon the seriousness of the situation. Buildings near that to be attacked may be occupied by the defenders and protected. In extreme cases they may be destroyed.

98. Provision should be made in advance for sufficient food and water for the period in which the house may reasonably be expected to be besieged, as well as for ammunition, lighting facilities, and means of heating. It is not safe to count on receiving any of these needed things from an outside source.

99. The interior of a building may be prepared for defense by erecting barricades at all doors and windows. Entrances must be left open for the admission of the outguards and sentries, when they may be driven in, but the material for immediately closing these entrances should be placed in such manner as to lose no time. Furniture, books, matting, carpets, mattresses, piles of clothing or cloth may be used for barricades, such material as books or rolls of cloth being the best protection against the fire of the attackers. Loopholes should be left in the barricades and constructed in needful places in the walls. Loopholes situated on the first floor should be at such height that the attackers can only fire through them at considerable angle.

100. Usually it is advisable to defend a building from the upper windows. This can only be effectively done, if the crowd is not permitted to approach closely to the lower doors and windows. Troops may be stationed on the roof, especially when the roof will afford a higher position than any which can be occupied by those attacking. Height is always an advantage.

101. Buildings forming part of a city block or street can be defended in general better than a more isolated structure. Outguards must provide for the occupation of near-by buildings in order to be effective against any well-planned attack. If this is not done, those attacking will take possession of such buildings and fire upon the defenders from the points of vantage thus afforded.

102. Buildings which have a common wall with the one adjoining present conditions under which it is well to loophole the wall. When the separating wall is only a plaster and wood partition it is essential to occupy all the houses of the row.

Portions of such walls should be demolished for the purpose of communication. When the force is small it is not advisable to select houses having such a wall, as entrance into one gives access to all.

103. To prevent a roof attack when a single roof is common to a row of houses, the trapdoors and skylights of all but the house defended should be fastened down and a force stationed on the roof. This force should prevent any of the attackers from gaining the roofs through other houses. It may also fire upon those in the street. The roof of the house being defended should be barricaded to afford cover in case the roof detail should be driven back.

104. In pursuing a single criminal or a small group of them into a house which has been used as a place of refuge, or to make an arrest indoors, rapidity of attack is all important; once begun, the advance should never be allowed to stop. The first step is to surround the house, keeping careful watch on every possible point of egress. If the roof can be reached, either from adjoining roofs or by ladders, the attack should begin at the top and work down. In a large building the attacking party should be careful not to scatter, but should operate as a unit. Two or three good axes may prove of great value if locked doors are encountered. If the house is isolated, or can not be approached with good cover, sharpshooters should protect the advance, watching every window from which a shot could be fired. When the entrance must be made from below it is often advisable for the attacking party not to wait to investigate the downstairs room, but to proceed at once to the attic or roof and then work down floor by floor.

PROTECTION OF STREET RAILWAYS.

105. (a) In street railway riots the commanding officer should not weaken his force by numerous detachments or by detaching small parties to guard each train or car. Strong bodies of troops may be stationed at points from which they can best reach the most troublesome districts. When additional troops are available they may be used to patrol as much of the system as it is deemed best to operate, or such portions as are in the most dangerous sections of the city.

(b) The duty of arresting individuals, who, at isolated points, throw some missiles at a car and the breaking up of this practice and other minor disorders, should usually be left to the police force.

(c) The commanding officer may well place bodies of troops at suitable points and use no patrols at all, until it is ascertained that the police can not put down the minor disorders. When this is apparent patrols should be put on the streets, first in the localities giving most trouble, and increasing these patrols to such parts of the system as may be found necessary. If the disorder previous to the arrival of the troops be great, patrols may be placed in the worst localities immediately and gradually withdrawn as conditions better.

(d) Patrols in riots of this kind should be strong enough to keep the streets clear of all persons not occupied or seemingly using them as a means of communication; to break up small parties before they increase and form a mob and to hold their own until a larger body can arrive. The district covered by a patrol should be small enough to permit the performance of its duties without undue exertion.

(e) The reserve bodies stationed at various points should not be less than a platoon, or company of four squads. The number of such bodies and the distances between them will vary with the seriousness of the rioting and the success of police or patrols in preventing disorder.

(f) One or two men should not be placed upon cars as guards. Unless they fire, such a small force is almost useless, especially against large crowds. Such an act either results in a great deal of firing upon the part of the troops or in ineffective protection and injury to the men placed upon the cars. When it becomes necessary to move cars under guard, there should be a strong force which should stay without the car. Cavalry is desirable for such purposes.

(g) Power plants and car barns should always be well protected.

(h) Detectives, or scouts, in civilians' clothes, can be a great aid to the commanding officer by mingling with the public and learning the intentions of rioters.

PROTECTING RAILROADS.

106. (a) The protection of a steam railway requires a large number of troops and efficient management.

(b) The stations, freight depots, roundhouses, car shops, etc., should be protected, as provided for buildings. The rolling stock not in use should be protected by being placed in these buildings, as far as their capacity will permit.

(c) Teamsters', express wagon, and taxicab drivers' strikes, or similar rioting in connection with city transportation may be best handled as is prescribed for street railways. Certain streets should be designated upon which these vehicles may move and these traffic routes properly guarded by the troops as are the lines of a street railway.

(d) Freight cars when in danger of being destroyed should be placed in mass on parallel tracks and then guarded as a building.

(e) Open or flat cars should be placed on outer tracks piled with bales of hay, barrels, or boxes of merchandise forming breastworks.

(f) Tracks may best be guarded by constantly running back and forth a train of 2 or 3 open cars, carrying sharpshooters and a detachment of troops. In order to guard against dynamite on the tracks, a couple of unoccupied flat cars should precede the first car carrying troops.

GUARDING BRIDGES.

107. Bridges and trestles must be well guarded. They should be inspected at regular intervals to make sure that no damage has been done to them by persons who elude the guard. At night light is an essential for abutments of bridges and entrances of tunnels.

108. Tracks may be protected by a patrol consisting of an engine and cars with a detachment of troops. Flat cars or the steel coal cars with flat bottoms, when available, are most suitable. When dumping devices are in the bottom of the cars, making the floor uneven, a floor of planking or other suitable material may be constructed.

109. Infantry patrols should also be maintained on the sections of the road where trouble is most likely to occur, including the sections in and near cities and towns. These patrols should be accompanied either by the regular trackwalkers or some other persons competent to inspect the track.

110. The trains carrying patrols or troops may push some empty flat cars ahead of the engine as a precaution against dynamite or other explosives on the tracks. When disorder is serious all passenger trains should be under guard by a suitable detachment. When the commanding officer deems that the conditions warrant it, passenger trains may be preceded by a "patrol

train" carrying troops and pushing flat cars, as an additional precaution to prevent the wrecking of the regular train. Flat cars pushed ahead might not save a train from being wrecked but would in all probability prevent or lessen loss of life.

111. When the troops are few it will become necessary to reduce the number of trains run by the railroad. If conditions are serious, it is well to reduce the speed called for by the schedules, in which case fewer but longer and heavier trains may

RESERVES WITH FIREARMS.

112. Always prepare for mob violence and show the crowd that you are ready for it by having your rifle and shotgun men where they can be used instantly. If the situation looks serious, arrange for a supply of rifles, bayonets, ammunition, and machine guns to be held ready for instant delivery.

THE MOMENT FOR MOB TACTICS.

113. There is no absolute rule whereby the commander can tell when the efficacy of crowd tactics is at an end and the need for mob tactics begins; but in general the use of firearms *against* the troops will be the determining factor. Practically every disorderly assembly that has not reached the shooting stage is a crowd, not a mob, and should be dealt with by crowd tactics. Once the bullets begin to fly, however, the further maintenance of crowd tactics is nothing short of a criminal risk of life. Of course, a single shot does not make a mob; such a case is the proper opportunity for a sharpshooter. It is when the commanding officer sees that many of the men facing him have firearms and are ready to use them that the time for mob tactics has arrived.

C. OPEN COUNTRY TACTICS.

114. These are nearly identical with the infantry principles regarding scouting and patrolling; they do not differ greatly from the prescribed methods of combat (see Infantry Drill Regulations).

D. INTERIOR TACTICS.

115. The establishment of garrisons in buildings, hunting for criminals in houses and other forms of indoor service—the principles are few and simple, although their application is im-

mensely varied, difficult, and dangerous, and has been covered with sufficient fullness under (a) and (b). See also Manual of Interior Guard Duty.

116. **Written orders and reports.**—All orders should, whenever possible, be in writing, or, still better, typewritten. This applies equally to orders from the commanding officer to his battalion or company commanders and to orders from a lieutenant to a squad leader. Orders delivered by telephone or orally should be confirmed in writing at the first opportunity. In a similar way, all reports should be made or confirmed in writing. For this purpose a portable typewriter, such as the Corona, is of very great value, as carbon copies of orders can then easily be made. All officers and noncommissioned officers should be furnished with printed order and report blanks and instructed as to the proper manner of using them.

CHAPTER XI.

INTELLIGENCE.

117. **The service of information.**—The service of information is of the utmost importance in this duty; a commander who does not know exactly what is going on is sure, sooner or later, to commit the unpardonable blunder of being caught by surprise. He should at all times keep himself thoroughly posted as to conditions in his district, particularly as regards the unemployed, food and fuel shortage, labor unrest, the presence in the community of undesirable outsiders, and activities below the surface inimical to the Government. For this purpose the commander should be in close touch with the local police and sheriff's offices and with the Federal and military secret service. Every man should be instructed to keep his eyes and ears open at all times and to report to headquarters anything coming to his attention which might indicate possible disorder. It is well to have affiliated and under the orders of its officers a considerable number of men out of uniform who, particularly when trouble has actually started, can secure information beyond the reach of uniformed men. The proper maintenance of the service of information is the duty primarily of the field officers, and strict attention to it in time of apparent quiet may, when the emergency comes, result in the saving of many lives and the prevention of a vast amount of property damage.

To develop military-intelligence work the following idea is suggested for development in each organization of the United States Guards:

(a) A chief with three assistants (preferably sergeants) known only to the chief and not to each other. Each assistant to select three helpers known to each other, to their own assistant, and to the chief.

(b) This entails the use of 12 men. The chief may direct an assistant to investigate or secure evidence upon any subject and direct another assistant to investigate the same subject. Compare results obtained from the two separate sources.

(c) Reports should state clearly what was actually seen; what was heard; the time, place, and date; what was actually heard from principal and impression made by delivery.

The chief draws conclusions. The scheme is shown in the following diagram:

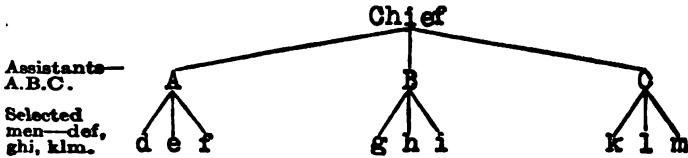


FIG. 5.

(d) An emergency signal known to all members of the group should be selected to identify intelligence men. The chief should be the company commander or a trusted, loyal, capable subaltern.

CHAPTER XII.

LEGAL.

118. Laws that govern military forces may be divided into three classes:

- (a) Martial law.
- (b) Military law.
- (c) Civil law.

A. MARTIAL LAW.

119. Martial law is the assumption of military over civil authority. The authority of the President of the United States to declare martial law is clearly set forth in Army Regulations (1913), Article XLVII. Under these statutes he may declare any prescribed part of the country to be in a state of insurrection and may thereafter exercise martial law within a district without reference to any civil authority whatever. Its existence may be recognized by proclamation issued either by the President or by the proper military commander, in which is announced the purpose of making use of such measures, involving the use of such military force as may be necessary to restore civil order.

120. The proclamation describes the emergency and defines the limits within which it exists and prescribes such rules of conduct for individuals as are warranted by the necessities of the case. It is customary in such proclamation to call upon all law-abiding citizens to assist in the restoration of order by strict observance of the laws by continuing in the quiet pursuit of their usual avocations and by refraining from participation in assemblages which are or are likely to become tumultuous or otherwise unlawful (see Appendix B).

121. Martial law is divided into—

- (a) The law of hostile occupation. (Military government.)
- (b) Martial law as applied to the Army.
- (c) Martial law at home.

The third of the above cases (c) has the greatest bearing on riot duty. It is treated in the following paragraphs:

122. Martial law (c) can not be said to exist, in the strict sense of the term, unless the control of the military commander is absolute. When any civil authority directs or limits the powers and scope of the military proceedings a degree of civil law exists, with troops as an aid, rather than any degree of martial law.

123. Under martial law it becomes the duty of the commanding officer to assume the entire government of the district in which such law is declared. He, or his subordinates acting under his direction, are temporarily the legislative, judicial, and executive branches of the government combined, and while in such control the power of a military commander is practically unlimited. The commanding officer may direct certain civil officers and courts to carry on their regular duties under directions of the military authorities.

124. The chief military officer should, where not inconsistent with the purposes for which troops are in the field, enforce the existing civil laws and such additional special regulations as he may see fit to make. Where neither of these applies the laws and customs of war are applied.

125. Upon assuming command of a military district under martial law, it is the duty of the senior officers to issue an order, or proclamation, setting forth in a brief manner the fact that he has assumed control of the government, giving some idea of what civil laws will remain in force, announcing a few of the most important special regulations that he intends to put into effect, etc.

Such an order may contain one or more of the following provisions and such others as circumstances may require:

(a) For the arrest and detention or deportation of all persons found in the district and appearing not to have any employment if found on the streets.

(b) Prohibiting the sale of firearms.

(c) Prohibiting the public from having firearms in their possession.

(d) Closing saloons.

(e) Prohibiting loitering on the streets. Persons found on the streets who appear to be habitually idle and without visible means of support should be placed under arrest.

(f) Prohibiting the gathering of more than a certain number of persons.

(g) Prohibiting persons without passes from being on the streets after dark, or a certain designated hour.

(h) Closing certain streets, squares, or other places to the public.

(i) Regulating the performances in theaters.

(j) Prohibiting certain matter in newspapers, or preventing the publication of these papers.

(k) The publication of pamphlets, handbills, or newspaper items tending in any way to influence the public mind against military authority, or reflecting upon the United States or its officers should under no circumstances be permitted.

126. The commanding officer is responsible to his military superiors alone while the tour of duty continues, and, unless prevented by such superiors, may make any temporary laws (subject to the laws and customs of war) that he sees fit.

127. From this, therefore, we see that the fundamental question for the immediate commanding officer to decide is: *Whether the taking of life is NECESSARY for the effectual performance of the duty imposed upon him.*

128. He must bring to the solution of the question an honest determination to do his duty; he must not act "from recklessness or a love of power or to gratify any passion"; he must not be influenced by a desire to retaliate or to inflict punishment. He must also bear in mind that the mere use of insulting or abusive words is not of itself enough to justify extreme force.

129. Remember that an officer who is by law authorized to suppress a mob is by the nature of things given discretionary power, and can not therefore be held responsible for errors of judgment or mistakes of law as long as he acts in good faith and without malice, corruption, or cruelty and keeps within the scope of his authority.

130. No more firing should be employed than is necessary to accomplish the object in view—that is, if in the opinion of the commanding officer the firing of two or three men or a squad can accomplish his purpose, then only two or three or a squad are ordered to fire; if in his opinion the whole company is necessary in order to accomplish his purpose, then the whole company is ordered to fire.

Remember, whatever the number firing may be, all firing must cease the very instant it is no longer necessary—the moment the commanding officer's object has been accomplished.

Every endeavor should first be made to induce the rioters to disperse before ordering the troops to fire on them.

Now to sum up what has been said on this subject:

The law and Army Regulations give only four concrete cases where troops may fire on rioters:

(1) To prevent the perpetration of a felony if it can not be stopped otherwise.

(2) To arrest one who has committed a felony if he can not be arrested otherwise.

(3) In case any individual rioter fires upon the troops, he may be shot down.

(4) In case any individual rioter throws missiles at the troops, he may be shot down.

131. Safe conducts.—In the exercise of absolute martial law, intercourse between a certain district and the surrounding vicinity may sometimes be prohibited. It will then be necessary to issue safe conducts to trustworthy persons whose lawful business requires them to pass through barred zones.

These safe conducts should be numbered and registered.

132. The martial law thus established does not cease until express proclamation or order restores the civil authorities.

Martial law consists in the suspension, by the occupying military authority, of the criminal and civil law and of the domestic administration and government in the occupied territory and in the substitution of military rule and force for the same, as well as in the dictation of general laws, as far as military necessity requires this suspension, substitution, or dictation.

133. The military commander may proclaim certain laws.

(a) No general penalty, pecuniary or otherwise, can be inflicted on the whole population on account of the acts of individuals unless the entire population is collectively responsible.

(b) No taxes shall be collected except under a written order and on the responsibility of a commander in chief. This collection shall only take place, as far as possible, in accordance with the rules in existence and the assessment of taxes in force.

(c) Neither requisition in kind nor services can be demanded from civilians except for the necessities of the army of occupation. They must be in proportion to the resources of the country and demanded only on the authority of the commander in the locality occupied. Receipts must be given in every instance.

(d) The commander of an attacking force, before commencing a bombardment, except in the case of an assault, shall give fair warning.

(e) Railways, telegraphs, telephones, ships, and all kinds of war material may be used for military service, but shall be restored at the conclusion of peace and compensation paid for their use.

(f) Family honors and rights, individual lives, and private property, as well as religious convictions and liberty, must be respected. Private property can not be confiscated.

(g) Edifices devoted to religion, art, science, and charity, especially all hospitals and places where sick and wounded are collected, should be protected. These may be indicated by some particular and visible sign.

(h) Pillage is absolutely prohibited even where a town or place is taken by assault.

(i) No property will be destroyed or seized unless such destruction or seizure be imperatively demanded by the necessities of war.

(j) All personal belongings of prisoners of war, except arms, horses, and military papers, shall remain their property. Prisoners must be humanely treated. A prisoner of war is a public enemy armed or attached to the hostile army for active aid, who has fallen into the hands of the captor, either fighting or wounded, on the field or in the hospital, by individual surrender or by capitulation.

134. Under martial law ordinary civil suits, etc., may be directed to await the reopening of the civil courts, or may be tried by a military commission. Offenders who are in the military service or attached thereto are tried by a court-martial under the military law. Other offenders are tried by military commissions.

135. A military commission, or such commissions as may be deemed necessary, may be formed by order of the commanding officer of a district under martial law, or by the commander in chief of the troops. Military commissions are habitually constituted of not less than three capable officers. Members of a court-martial or an entire court-martial may, by orders, also be constituted a military commission.

136. Military courts and commissions and the commanding officers of troops enforcing absolute martial law in the United States, should avoid taking action that may appear to trespass

on the rights of the civil authorities, who will succeed the military when law and order are restored. As it is unusual for the military to remain long in power in this country, it should be the policy of its officers to delay civil suits, the trial of criminals, etc., until the civil authorities can properly perform their duties. On the other hand, when the exigencies of the occasion require it, the use of military commissions should not be neglected.

By inducing or allowing certain civil courts and incidental officers to perform their usual functions, the military authorities may save considerable trouble and annoyance.

PUNISHMENTS.

137. Punishments will never be unnecessarily cruel, but are occasionally unusual. Unusual punishments are sometimes required by stress of circumstances, and at other times are resorted to as deterrents in lieu of more severe punishments. It was necessary to break up the practice of selling vino to soldiers in the Philippine Islands. A woman was caught repeatedly in this trade. A military judge sentenced the woman to have her hair cut short. As Filipino women are very vain of this luxuriant hair, the sentence seemed terribly severe to the culprit. Her insolence vanished and she began to beg for another chance. The sentence was immediately executed, and, thereafter, not another woman in Manila sold vino to the soldiers.

138. While it should be the constant endeavor of the military authorities to exercise the powers of martial law moderately, it must not be supposed that its enforcement will not be as firm and vigorous as the occasion may demand.

HABEAS CORPUS.

139. Federal troops can not properly be served with a writ of habeas corpus, issuing from a State court, for the protection of the person of a civilian witness held under a warrant of attachment or of an enlisted man or military convict.

140. Army Regulations require that officers make respectful returns, in writing, to all writs of habeas corpus served on them. Should the writ be issued by a State court or judge and served upon an Army officer, commanding him to produce an enlisted man or a general prisoner and show cause for his detention, the officer will decline to produce in court the body of the person

named in the writ, but will make respectful return in writing to the effect that the man is a duly enlisted soldier of the United States or a general prisoner under sentence of court-martial, as the case may be, and that the Supreme Court of the United States has decided that a magistrate or court of a State has no jurisdiction in such a case.

141. A writ of habeas corpus issued by a United States court or judge will be promptly obeyed. Further information on this subject will be found in Army Regulations and in the Manual for Courts-Martial.

142. Should a United States court issue a writ of habeas corpus it will be promptly obeyed and the facts reported by wire to The Adjutant General of the Army and such other persons as are designated by the Army Regulations.

NOTE.—For habeas corpus, writs of attachment, see General Courts-Martial Manual, 1917, pages 387-394.

LIABILITY OF OFFICERS.

143. In the enforcement of the laws, Federal troops are employed as a part of the military power of the United States and act under the orders of the President as Commander in Chief. The commanding officers of troops so employed are directly responsible to their military superiors. Any unlawful or unauthorized act on their part would not be excusable on the ground of an order or request received by them from a marshal or any other civil officer.

144. The strictest kind of orders should be given that no one shall fire a single shot except upon an order from an officer, but in individual cases of self-defense soldiers would not have to wait for orders to fire.

145. Paragraph 489 of the 1917 Army Regulations says: "The fire of troops should be withheld until timely warning has been given to the innocent who may be mingled with the mob. Troops must never fire into a crowd unless ordered by their commanding officer, except that single selected sharpshooters when so instructed may shoot down individual rioters who have fired upon or thrown missiles at the troops. As a general rule the bayonet alone should be used against mixed crowds in the first stages of a revolt. But as soon as sufficient warning has been given to enable the innocent to separate themselves from the guilty, the action of the troops should be governed solely by the tactical considerations involved in the duty they are ordered to

perform. They should make their blows so effective as to promptly suppress all resistance to lawful authority, and should stop the destruction of life the moment lawless resistance has ceased. Punishment belongs not to the troops but to the courts of justice."

146. These are the general principles of the common law on the subject:

(a) The justification allowed by the common law to the taking of life in cases of riot is limited to the *necessity* of the case.

(b) The infliction of death or bodily harm is not a crime when it is done "for the purpose of suppressing a general and dangerous riot which can not otherwise be suppressed."

(c) "The taking of life can only be justified by the necessity for protecting persons or property against various forms of violent crime or by the necessity of dispersing a riotous crowd which is dangerous unless dispersed."

147. Before issuing any order which may be questioned in future an officer should make certain of two things:

(a) That *proof* exists which shows conclusive justification for giving the order.

(b) That the proof will be *available* when needed.

The question of whether or not certain measures were unnecessarily severe is sometimes left to a jury.

148. If rioters are followed and needlessly cut down after they have dispersed, it is murder. In cases where rioters stand their ground and the riot can not be suppressed or the mob can not be dispersed without killing one or more persons, under such circumstances, homicide will be justifiable.

149. If an officer is justified in giving an order, his right to issue the same will hardly be questioned afterwards in a criminal or civil proceeding, if it is known that the officer possesses proof showing his justification. The importance of preparing proof before an officer takes any arbitrary action can not be emphasized too strongly.

150. The Supreme Court of the United States has decided that in order to obtain judgment against an officer for acts alleged to have been done while on duty, the burden of proof is upon the party complaining to show that the officer whose acts are presumed to be legal exceeded his authority, was corrupt, unnecessarily cruel, or committed a malicious and willful error. It is sometimes necessary to seize, use, or destroy private property; for example, it may be necessary to seize food or means of trans-

portation for the troops, to convert the nearest suitable material into barricades, or to destroy a building occupied by rioters. If the danger is great or the necessity urgent, the commanding officer should not hesitate. While it is true that he may thus render himself liable to civil action, he need have no fear if he has not exercised his power in a corrupt or malicious manner.

POWER OF TROOPS IN AID OF THE CIVIL AUTHORITIES.

✓ 151. Unless an executive officer, having the power, declares a city, county, State, or other portion of the country to be in a state of insurrection, the civil authorities remain supreme.

152. In case of a riot or rebellious assembly, the peace officers and their assistants, endeavoring to suppress the riot or disperse a mob, are justified by the common law and by most State statutes in proceeding to the last extremities in case the riot can not be otherwise suppressed; and it has been held that the killing of rioters in such cases is justified. Even private persons are often justified in killing participants in such riots, especially in self-defense. The troops on duty are likewise justified in taking life in carrying out the orders of the civil authorities, but only when such extremities are necessary in the opinion of the commander. As it is impossible to distinguish between guilty and innocent persons in a mob, all who are present and who do not disperse when commanded to do so are held to be members of the mob.

✓ 153. It is a well-established principle that troops can not use any more force than is necessary to accomplish the desired results. In the determination of the force needed the officer in command is, of necessity, allowed a great deal of latitude, the principle being that he must have acted in good faith and without malice or evil intent.

✓ 154. Troops have no authority to punish rioters or others for any acts committed, no matter how heinous the crime and no matter what losses the troops may have suffered. No force can be used by the troops after resistance ceases.

✓ 155. Orders are disobeyed at the peril of the one who disobeys and should an order be questioned by a subordinate and afterwards prove to have been legal the subordinate could be punished for his failure to obey. On the other hand, if an order is obeyed and later proved not to have been legal, the person obeying can only be punished if any average man would have

seen at once that the order should not have been obeyed. It is a safe rule to obey orders when in doubt.

156. The military officer is at all times at liberty to act as he sees fit and when he does obey the directions or requests of a civilian, he does so on the assumption that he agrees with all that is done and takes full responsibility as though all acts had originated under his order.

157. As Federal troops can not take orders from civil authorities and can not be arrested by them when on duty in time of riot, etc., it can not strictly be said that such troops ever serve in aid of the civil authorities in the same sense that the State troops do. A degree of martial law actually exists whenever Federal troops go on duty for such a purpose.

158. A sentry on duty with troops, in aid of the civil authorities, may fire at any time, in obedience to his special or general orders, and is protected by the principles covering enlisted men who fire at the command of a superior. A sentry is protected by all principles covering the firing by troops and by the State statutes exempting soldiers from liability for acts done in the performance of their duty.

159. A soldier who sees a felony or a breach of the peace committed, may arrest, without a warrant, the person or persons committing the act. Also, a soldier who knows positively that a felony has been committed and has reasonable grounds to believe that a certain person or persons committed the act, may arrest that person or persons without a warrant.

160. If a person who has committed a felony takes refuge in a building, a soldier who has seen the felony committed may pursue the felon into such building for the purpose of making an arrest. Should admittance be refused, an entrance may be forced.

161. When troops have arrested civilians they may hold them in custody only as long as conditions make necessary, after which all civilian prisoners should be turned over to the civil authorities. It is lawful for the military authorities to hold a civilian prisoner, when there is not a proper number of civilian officials present, for the protection or retention of such prisoners, or when the good faith of a subordinate civil officer present is doubted and it is desired to receive word from the chief civil officer, under whom the troops are acting, as to the disposition to be made of the prisoner. As soon as such conditions or other similar conditions that warrant the troops in holding such prisoners cease the military authorities must at once surrender the prisoners to the proper officials.

162. The fact that the civil authorities are unable to protect prisoners or that they fear their escape and troops are placed on guard over them does not take such prisoners from the hands of the civil authorities.

163. The commanding officer may place in arrest disorderly persons within the confines of camp grounds, parade grounds, armory, or barracks, or any persons who disturb troops in the performance of any duty. This applies to civilians as well as to soldiers. Civilians so arrested can not be detained for an unreasonable length of time. At the first convenient opportunity, or at the close of the duty, they should be turned over to the civil authorities, if it is desired that they be punished.

PRIVATE PROPERTY OF PRISONERS.

164. The commanding officer may appoint an officer in charge of prisoners who may, with martial-law prisoners, be required to follow military law, as follows:

"He (this officer) will have charge of the property, money, and valuables belonging to prisoners, which they are not permitted to keep in their possession and will disburse said money, when desired by the owner, for such purposes as may be approved by the commanding officer."

When martial law is being exercised in a military district this officer in charge of prisoners may perform the duties mentioned, with other functions, under the title of provost marshal or provost officer.

165. Immediately upon the completion of the tour of duty and the return of the troops to their home stations, with the consequent resumption of power by the civil authorities, the troops may be held to answer before the civil courts for acts which appear to be in excess of the powers given to a commander under martial law or in violation of the laws and customs of war, but it is only when the powers of an officer were manifestly and maliciously exceeded that it is probable that he would receive any punishment or have damages awarded against him.

PROVOST MARSHALS.

166. Officers may be detailed as provost marshals for matters involving the details of martial law administration and may be supplied with certain judicial machinery and made judges of provost courts in certain districts. Orders appointing provost

marshals usually fully outline their duties and may provide for provost guards to act under their direction. The provost marshal may be authorized to arrest persons accused of certain offenses and to perform many other details of martial law administration. He may be charged with the care of all prisoners, prison regulation of express packages, protection of certain classes of property, press censorship, railway passenger control, regulation of certain business houses, and numerous other matters. In Federal service he might be given charge of the mails.

DESTRUCTION OF CROPS.

167. The burning and destruction of crops and supplies, to prevent their falling into the hands of the enemy, has been authorized on the ground of the public safety. But this rule applies only to insurrection where some of the insurgents compose armed bands and these bands are in the field against governmental troops.

168. **Billeting troops** without consent of the owners of the property is prohibited. But this provision does not prevent quartering the troops in public buildings (not in private buildings) by contract with the owners. Assembly halls, vacant business blocks, and other large buildings with large rooms are the best means of quartering troops, because they permit of sleeping a company or more in each room and the property for which the company commander is responsible can be more readily guarded. In some rare instances private houses may be used as quarters. These instances arise where, in extreme weather, use of such habitations is absolutely necessary to preserve the men and where inhabitants have fled and where the inhabitants are known insurgents and under surveillance.

169. **Receipts.**—When private property is used for any reason, provision must be made for the determination of the amount of damage or compensation that properly belongs to an owner.

Whenever practicable receipts in detail should be given for supplies and property seized and transportation or labor requisitioned; such receipts will assist materially in adjusting claims that are sure to follow.

GROUND FOR ENCAMPMENTS.

170. The power to take property does not include the power to encamp on the private lands of civilians without their consent except in time of war.

CHAPTER XIII.

AIDS TO PROTECTION AT NIGHT.

171. **Protective lights.**—An object is revealed to the eye either because light falling upon it is reflected back or because it is outlined as a shadow against a lighter background.

If everywhere around property to be protected, one of these conditions is obtained through a sufficient quantity of light, properly directed and diffused, guarding becomes simple. To see an object readily requires strong contrast between such object and its background.

This principle is the exact reverse of camouflage, where it is desired to make objects invisible by blending them *with* their backgrounds.

172. An armed guard on a fixed post is able to protect property effectively in the daytime, but night renders this protection materially less effective and his enemies have more opportunities to operate unobserved because there are generally fewer persons about. Darkness therefore is a great aid to the doer of crime. A few simple rules are worth remembering:

(a) Illuminate every point in the guarded area.

(b) A rifle bullet can travel faster than a fleeing enemy.

(c) Conceal the source of light from the eyes of the guard. If anyone is to be blinded by light let it be the trespasser.

(d) Safeguard the supply of electricity by rendering it inaccessible and by providing duplicate supply systems.

(e) Keep the guards in deep shadow watching bands of light which must be crossed to effect damage.

173. Protective lighting loses much of its effectiveness in fog. This fact should be borne in mind by the commanding officer and additional guarding precautions should be taken in case of fog. Patrols may be of great importance.

174. Yellow light possesses a slight advantage in fog over white light and a guard will experience some slight advantage by wearing yellow glasses when looking from behind a search-light along the beam of light.

175. Lighting of boundary fences.—A high fence around the boundary of a property is an important feature of protective methods. This fence should be preferably of barb wire or wire netting so constructed as to make it necessary for a trespasser to expend considerable time in surmounting or passing through it. If the fence is solid or opaque, it may with advantage be painted white or whitewashed, and should be topped by barb-wire fence several wires high.

(a) A boundary fence should be illuminated at night in order to ward off intruders to simplify patrolling. Adequate illumination of the boundary fence not only makes for safety but also works for economy, in that it lessens the need for extensive patrol. There are two general practices of lighting such boundary fences, both of which have certain advantages and either of which may be applied to advantage in most cases.

(b) The best method of illuminating boundary fences or walls of rectangular buildings or inclosures is by placing double flood lights at the diagonal corners, the beams of light being thrown along the two walls at right angles to one another. It is well to adjust the beam so that it falls just outside the fence or wall, its edge corresponding with the fence.

(c) If the wall or fence is too long for the beam of light to adequately cover the distance supplementary arc lights may be provided at intermediate points. They should be supplied from independent electric circuits.

(d) It may be advantageous to locate a sentry upon a raised platform which mounts the flood-lighting unit or is located in a deep shadow.

(e) In protective lighting, care should be taken to see that all nooks and corners are illuminated to obliterate dangerous shadows.

(f) At all places of entrance or exit comparatively brilliant illumination is required over a small area.

(g) Where material is stored it is difficult to avoid shadows. In this case illuminants should be mounted relatively high and with short spacing intervals.

176. It is not the intention of this manual to discuss extensively the many and diversified problems of protective lighting, but merely to give a few of the principles to be observed. For a more detailed consideration of the subject the reader is referred to War Department Document No. 800 on the subject of "Protective Lighting," prepared by the committee on war

service of the Illuminating Engineering Society and published in May, 1918, by the War Department. Officers and enlisted men who have special enthusiasm for military science and expect to remain in Federal service may profitably devote additional time to the study of applied minor tactics, map reading and map making, military hygiene and sanitation, first aid, trench warfare, Army paper work, military law, and others of the scores of subjects concerning which the Army officer of to-day should be informed, but which subjects have no direct place in this work.

177. Good hearing is a great help at night. Where silence reigns at night a listening post may be established at some elevation above the ground with excellent results.

CHAPTER XIV.

WEAPONS.

178. The following are deemed essential for the use of forces engaged upon the preservation of property and life and in the handling of crowds, riots, etc., when mounted men are not available:

- (a) Riot stick.
- (b) Rifle and bayonet.
- (c) Shotgun of the sawed-off or riot type.
- (d) Revolvers.
- (e) Suitable ammunition for each weapon.
- (f) Machine guns.
- (g) In some emergencies, field guns with projectiles.
- (h) Electric pocket lights.

For local transportation, motorcycles with side cars, police patrol wagons, auto trucks, or passenger autos are desirable.

179. The riot stick should be of hardwood, turned, and of uniform pattern, not less than 30 inches long and 1 inch in diameter, with a handle so shaped as to aid in thrusting. A rawhide thong of 16 inches length should be attached securely to the stick without weakening it in any part and be so placed as to permit the thong to be wrapped around the hand so that the stick can not be wrested away from the holder.

The thrust is the most desirable use of a riot stick.

180. **Machine and field guns.**—For troops the machine gun is, of course, a weapon to be held in reserve until there is every reason to believe that no less destructive force will avail. It should never be brought out as a mere menace, and only an extraordinary situation would warrant its use. Their moral effect is often added to by circulating reports as to their extreme destructiveness. For defending buildings and property the location of the gun should be changed at nightfall and daylight. Where no barriers are constructed, each gun crew should station sentries about 200 feet in front of the gun and allow no assembling of persons within that distance. Field artillery is of value for local defense chiefly in attacking a

strongly intrenched and barricaded position. In the city its employment is almost out of the question. In open country, however, there have been cases where outlaws have fortified themselves in an isolated house or in some similar position so strong as to defy rifle fire. Under such circumstances a few shells from a field gun may save a good many lives.

181. Shotguns.—For troops or police forces the shotgun is normally far more effective than the rifle, particularly in the city, its moral force being nearly as great and the dangers attending its discharge being very much less. Gen. Pershing's order for 10,000 shotguns and the adoption by the Army of a shotgun with bayonet for sentries, the protest of Germany as to their use by United States troops, show that the possibilities of this weapon are coming to be more and more fully recognized. The 12-gauge shell loaded with No. 1 shot is particularly effective and is not excessively dangerous. Buckshot, however, may also be used. While the pump-gun type is, on the whole, the most serviceable, automatic, double-barreled, or even single-barreled shotguns may be used. Shotguns with sawed-off barrels—about 23 inches long—are better than those with long ones. As in the case of rifles, the number of shotguns in the service equipment should be absolutely limited by the number of men fully qualified by experience to handle them.

182. Riot sticks.—For police purposes the whole question of proper arms for crowd or mob duty may be summed up in two words: *Never bluff*.

Under ordinary service conditions in the city, or anywhere where a disorderly assembly may be forming, the riot stick is a most valuable offensive weapon for policemen. Properly used by disciplined bodies of men, it will suffice to overawe any crowd not extensively equipped with firearms and will disperse an unlawful gathering or break up a meeting without bloodshed when a single shot or bayonet thrust might entail the most disastrous consequences.

There is no element of "bluff" about the riot stick, for any trouble maker knows that it will be used freely and without hesitation, whereas, unless the situation is acutely serious, no commanding officer wants to give his men the order of fire, and the crowd is perfectly well aware of his attitude. A man is in an awkward position when he is equipped only with a weapon which he hesitates, and quite properly, to put to its correct use.

CHAPTER XV.

POLICE FUNCTIONS.

183. Military forces having been called upon by proper authority to aid in suppressing riotings or violations of the law it is their duty simply to carry out the legal orders of their superior officers.

184. A police force is organized for five specific purposes:

- (1) To preserve the peace.
- (2) To enforce the law.
- (3) To protect life and property.
- (4) To prevent and detect crime.
- (5) To arrest lawbreakers.

No man can be a success as a police officer unless he knows those five fundamental principles.

185. Upon arrival at the scene of a crime there are three things to do:

- (a) Arrest the perpetrator of the crime.
- (b) Safeguard the evidence.
- (c) Procure witnesses.

If these three things are done completely, systematically, and intelligently, the chances of successfully completing the case are assured.

186. Arrests may be made under three instances only:

- (1) With a warrant.
- (2) When a crime is committed in the presence of the person arresting.
- (3) When a felony has in fact been committed and reasonable grounds exist for believing that the person to be arrested has committed it.

187. It is not infrequent for occasions to arise when the police, for various reasons, fail to properly perform their duties in times of riot. It then becomes necessary for the troops to look after the more trivial disorders incident to the riots. In such cases a large number of men is required, it being not only necessary to have sufficient troops present to defeat a mob, but it also being desirable to stop absolutely all disorder without

using the extreme power which a soldier's arms and training afford. When the police thus fail in their duty the commanding officer should request sufficient troops to supply patrols to take the place of the police and at the same time maintain larger bodies at advantageous points in case of more serious trouble.

188. Closing saloons.—Should an affected area be not placed under martial law and the military authorities believe that it is to the best interest of the community that saloons or other similar places be closed, they should suggest the fact to the civil officers. It does not fall within the province of the military commander to issue this or other similar orders.

(a) Not only do saloons afford an opportunity for intoxication and consequent disorders, but they also offer a place for rioters to congregate, talk, and plan.

(b) Whenever a saloon keeper harbors disorderly crowds that become a menace to the public peace, the commanding officer in person or a duly authorized officer should visit the saloon with a detachment of soldiers and notify the proprietor that the place is a disorderly one and that unless he rid his place immediately of all disorderly and undesirable characters and then maintain it in a peaceful, orderly, law-abiding manner he, the officer, will have the place closed by the civil authorities or lay the matter before the proper authorities with a view to having his license rescinded, depending upon the law of the State.

(c) The closing of saloons must, as a rule, be done by the civil authorities. Should the military commander consider the closing of saloons advisable, he should request the civil authorities to issue the necessary orders.

(d) As soon as practicable after the command arrives, saloon keepers should be instructed not to sell liquor to soldiers. If, however, they should do so after such instructions have been given, then steps should be taken to have the saloons closed.

189. Public meetings, especially at night, are almost invariably a source of trouble. They afford splendid opportunity for trouble-making oratory. They should be prohibited, but, as in the case of closing saloons, the order must come from the civil authorities.

Unnecessary hardships will only tend to create public sentiment against the military and, in many cases, arouse sympathy for the rioters.

190. Ministers, from the pulpit and otherwise, are very often able to assist materially in restoring law and order, and, when

necessary, their good offices should be sought. However, should a minister endeavor to assist the rioters in any way, he should then be treated like any other rioter.

191. **Conduct, appearance, and force used.**—The conduct of troops on riot duty is a matter of extreme importance. The good or bad effect resulting from the actions of soldiers on such duty is not confined to mere sentiment lasting a few days or weeks, but permanently affects public sentiment toward military forces.

(a) The appearance of the men is important. An untidy appearance, dirty or improperly worn uniforms, will have a bad result. As the troops are more prominent and a topic of much greater interest during the time that they serve on riot duty, these seemingly trivial matters are correspondingly more important than when in camps, barracks, or in the armory.

(b) The troops should be strictly impartial, especially in labor disturbances. They should absolutely prevent *all* disorder, no matter from what source, but should take extreme care to show no favors to any side of the controversy.

(c) The attitude of individual officers and men toward persons with whom they come in contact is important. A firm, courteous demeanor will arouse respect, while an insolent enforcement of power leaves the civilian with an everlasting feeling of resentment against military power.

(d) "Cockiness" among soldiers off duty must not be allowed.

192. Troops should be especially courteous to civilian officials. Troops should never jostle or lay hands upon any persons who are obeying the orders given and such orders should be given courteously to citizens who are peaceful and inoffensive.

193. **Sentries.**—Every man on sentry duty is measured by his individual performance of duty. He should therefore conduct himself in such manner as to merit the approval of the people with whom he has to deal. If four men are standing in a group on the street, three of whom are in civilian clothes and one in uniform, the average person will take no particular note of the three in civilian clothes but the man in the uniform is noticed and remembered. Why? Because men in civilian clothes are an everyday sight and their actions ordinarily do not attract attention, but the man in uniform is instinctively watched. If he enters a saloon he attracts attention immediately, and should a soldier be seen coming out of a place where

he should not be, the public is very quick to draw its own conclusions and brand not only the man himself but the organization to which he belongs as inefficient and not attending to business.

(a) Sentries perform a duty calling for extreme authority over all persons, military or civilian, excepting their immediate superiors on the guard. For a sentry to receive orders from, or allow orders to be violated by any person without proper authority, would be a most serious military offense. However, civilians can not understand these strict military requirements and they should be treated accordingly. The most influential and law-abiding citizen has no more right to pass a sentry without proper authority than has one of the riot leaders, but the fact should be explained to such civilians politely in order not to create offense.

(b) United States Guard duty is, among other things, a thinking job; it is not a posing job, and soldiers are not paid for the purpose of going out and posing; they are there for specific purposes. They should so conduct themselves that the impression left with the general public is that they are gentlemen, that they are intelligent and understand exactly what they are about and know their job.

(c) Both officers and men should take into consideration the great difference between the classes of riots and rioters in determining the amount of force to be used. Riots may be divided as follows:

(1) Those participated in by citizens, usually law abiding but temporarily crazed through real or fancied wrongs.

(2) Those in which the participants are entirely vicious and criminal.

(3) Those assuming the nature of a rebellion against the lawful government, whether the participants be of the lawful or criminal classes.

Though from a military viewpoint all may be the same, and from a legal viewpoint the first two may be the same, it is obvious that every effort should be made to refrain from wounding or killing participants in the first class of rioters, while in the second and third cases greater force is necessary.

194. The principles here given should be called to the subordinate's attention as well as the legal and military requirements, after which his orders should be merely to use as little force as is possible in properly performing his duty. It is for the senior

present on each occasion to determine just how much that force is, not the commanding officer some distance away.

195. Officers should never alarm the troops by telling them what might possibly occur in the way of attacks, surprises, etc., but should give only the necessary information, making the orders and instructions broad enough to cover emergencies without assigning alarming reasons therefor. At night the indiscriminate firing of sentries should be promptly stopped.

196. **Discipline.**—The one way in which troops can offset the numerical superiority of the crowd is by its discipline. One hour of effectively applied crowd tactics will more than justify all the weeks spent in executing Squads Right, for it is only through the discipline and precision acquired in rigorous close-order drill that the unit can be sure of fulfilling its mission. This point should be particularly impressed on all the men. The minute a command, coming face to face with a crowd which has in it the elements of a dangerous mob, loses its military cohesion it sinks almost to the level of the crowd, and it has every right to expect failure.

197. **Arrests.**—In dealing with a crowd, the making of arrests requires a considerable amount of good judgment. Arrests should, of course, be made whenever possible in case of actual violence; there should be no delay in capturing any man seen to throw a stone, display a firearm or other dangerous weapon, or to damage property. On the other hand, it is undesirable to make arrests for mere stubbornness in obeying orders, if the desired result can be attained by simpler means. It is needless to say that every order, once given, must be absolutely enforced; but in dealing with the initial stages of a disorderly crowd, a combination of tact, coolness, and determination will render many an arrest unnecessary. At times, however, an arrest is exceedingly desirable, either to remove a persistent trouble maker from the scene or for its effect on the crowd. An arrest, if ordered, should be made at once. The more rapidly the order is executed the greater will be the effect on those who witness it. The arrested person should be at once conveyed away from the scene and promptly turned over to the proper civil authorities; the man making the arrest, together with at least one witness, should always accompany the prisoner to the police or sheriff's office in order to give a clear account of the reasons for his arrest. An arrest should be followed up by legal action. A citizen may make an arrest for a crime attempted or committed in his presence.

198. The troops should not be divided up into small details and sent out each time that a few stones are thrown by individuals, such work being left to the police force.

199. The troops may often advantageously take entire control of a certain district or districts where the disorder is greatest, thereby permitting the larger part of the police force from such districts to be otherwise distributed throughout the city.

200. **Arresting rioters in private houses.**—If during the actual progress of a riot a rioter commits a felony or breach of the peace, or a felony is committed and there are reasonable grounds to believe a particular rioter has committed it, any member of the troops on duty may, without warrant, arrest the rioter at once. If the rioter, after committing a felony, flees to a private house he may be pursued and an entrance may be forced to make the arrest, but as a matter of lawful caution a demand for the surrender of the culprit should be made before forcing an entrance. If necessary to force an entrance, before doing so the person seeking to make the arrest should announce to the inmates his official character and his business and demand admission, unless it is quite certain these are already known, in order that, knowing his official character, there may be no resistance to him. If, however, an interval of say a number of hours or a day elapses between the commission of the felony and the effort to apprehend, then a warrant should be obtained from the civil authorities, and the civil authorities, supported by the troops, would have every power to make the arrest.

201. **Right of search.**—Should admission on a search warrant be refused, you demand in the name of the law that the door be opened—that you hold a warrant. Then wait a reasonable time, and if the door is not opened use sufficient force to enter.

202. **Arrest of minors.**—Whenever a person under 16 is arrested, except for murder, it is best to charge such person with juvenile delinquency, no matter what he did. Then turn him over to the civil authorities.

203. **Disposition of persons arrested.**—Civilian prisoners should always be turned over to the civil authorities without unnecessary delay, charge should be stated, and list of witnesses furnished. Should it not be practicable to turn the prisoner over to the civil authorities immediately, he may be detained by the military so long, and so long only, as the necessity of the situation requires.

These restrictions upon the detention of civilians as prisoners by the military do not apply where by the declaration of martial law the civil power has been superseded by military authority.

204. Difference between a felony and a misdemeanor.—A felony may generally be defined as an offense that is punishable by imprisonment in a penitentiary or State prison—for example: Homicide, assault with a dangerous weapon, highway robbery, burglary, larceny, rape, arson. Crimes that are not punishable by imprisonment in a penitentiary or State prison may be generally defined as misdemeanors—for example: Drunkenness, disorderly conduct, carrying of concealed weapons, trespassing, violation of city ordinances, etc.

(a) A person is not sentenced to a State prison for *less* than a year. A person is not sentenced to a county jail, city prison, or penitentiary for *more* than a year. In the penal law crimes which are punishable by imprisonment for more than a year indicate those offenses which are *felonies*; when the crime is not punishable by imprisonment for more than a year such crime is a *misdemeanor*.

(b) Foreigners come to this country; the Government guarantees to such persons when they land here first protection, police protection, and use of its streets, etc., and in return the only thing the Government asks is that the alien behave himself properly and that he pay his taxes, if he has any to pay, and, if he is called upon to assist a police officer, that he shall do it. If he does not, he is guilty of a misdemeanor.

205. Legal definitions of crimes.—The following legal definitions will give officers a practical idea of the meaning of the terms defining crimes. A criminal act committed in one State might be a felony as defined by the laws of that State, while the same act performed in another State might be only a misdemeanor under the laws of the second State. It would require, in order to completely define these terms as they are used in State laws, a separate statement of the definitions prevailing in each State. For this reason the word "felony" is explained here only as it is defined in relation to crimes denounced by the Federal Government.

Felony.—All offenses which may be punished by death or imprisonment for a term exceeding one year shall be deemed felonies. (Federal Penal Code.)

Examples of felonies.—Murder, manslaughter, assault with intent to kill or with intent to commit a felony, burglary, rob-

bbery, grand larceny, rape, arson, forgery, suffering prisoner held under laws of the United States to escape, etc.

Misdemeanor.—Misdemeanors comprise all offenses lower than felonies which may be the subject of indictment. (1 Wharton Criminal Law, sec. 28; Federal Penal Code.)

Example of misdemeanors.—Simple assault, larceny of property under \$50 (Federal law), aiding escape from internment (Federal law), obstructing officer in serving process of United States court.

Burglary.—At common law burglary was the breaking and entering the dwelling house of another in the night time with intent to commit a felony therein. By statute many States have extended the same to include breaking and entering buildings other than dwelling houses, and also in the day time. (Bishop, Criminal Law, vol. 1, sec. 559.)

Larceny.—(1) Grand larceny is the taking and carrying away, with intent to steal or purloin, any personal property of another of a value exceeding \$50. Petit larceny is the taking and carrying away, with intent to steal or purloin, any personal property of another of the value of \$50 or less. (Federal Penal Code.)

(2) Larceny by the common law is the felonious taking and carrying away by any person of the personal goods of another. By State statute larceny is divided into petit and grand according to the value of the goods taken, the dividing line being frequently placed at \$25. (Bishop, Criminal Law.)

Assault.—(1) Felony. Whoever assaults another with intent to commit murder, rape, or any felony; or whoever, with intent to do bodily harm and without just cause or excuse, assaults another with a dangerous weapon, instrument, or other thing is guilty of a felony. (Federal Penal Code.)

(2) Misdemeanor. Whoever, without felonious intent, unlawfully strikes, beats, or wounds another or unlawfully assaults him is guilty of a misdemeanor. (Federal Penal Code.)

(3) Assault is any unlawful physical force, partly or fully put in motion, creating a reasonable apprehension of immediate physical injury to a human being. Standing alone, it is a misdemeanor; but when combined with a felonious intent or offense, a felony may result. (2 Bishop, Criminal Law, secs. 23, 56.)

Arson.—At common law, arson is the malicious burning of another's house. By statute in most States, the offense is extended to include the burning of shops and other structures not

used for habitation. (1 McClain, Criminal Law, p. 507; Bishop, Criminal Law, vol. 1, p. 559.)

Breach of the peace.—A breach of the peace may consist of a criminal act of the sort which disturbs the public repose, or of acts of public turbulence, in violation of the public peace, such as a public prize fight; of an invasion of the citizen's right of personal security; or of acts such as tend to excite violent resentment. Actual personal violence is not always necessary to create the offense, but when not necessary, the conduct and language of the wrongdoers must be of such a character as to induce terror or fear of personal violence. (Bargar, Law or Riot Duty, sec. 108.)

206. Traffic regulations.—When there is traffic to be regulated don't overregulate it. If traffic is going along smoothly and safely, leave it alone. Give the people the most possible freedom in the use of streets consistent with safety. Some persons who are supposed to regulate traffic actually retard and impede it. They have their arms swinging around like windmills and nobody knows what they are doing. Never argue with drivers. Nothing shows weakness quicker than arguing with a driver. You have no right to rebuke anybody for violating law or orders. You arrest a person for violating the law, but you have no authority or right to rebuke him. If you are going to arrest him, do so. Have no argument—because if you are arguing with him he has stopped and *you* are retarding traffic. In the regulation of traffic you will have the moral support of everybody except the person who is violating the traffic laws or the unruly element. Everyone else is with you. Do not attempt to bulldoze people. You can get just as much action by speaking in a firm, courteous manner to a driver as you can by attempting to bulldoze him. Losing your temper generally means losing effectiveness. When necessary to stop traffic of vehicles in one direction, select a driver far enough away to make it possible for him to stop in the place you desire.

CHAPTER XVI.

PRINCIPLES FOR OFFICERS.

207. In an admirable pamphlet by Maj. Gen. David C. Shanks, entitled "Management of the American Soldier," a number of excellent principles are given, based on practical knowledge in the handling of men. Some of this valuable advice is here reproduced for the information of those concerned.

(a) The best grip any officer can have on the American soldier is on his pride. Therefore do everything possible to build up the soldier's pride in himself and in his record. Constantly appeal to him to keep a clean and an honorable record.

(b) Treat the American soldier as a man, look him squarely in the eye when you talk to him, and treat him justly.

(c) Never do anything to lessen the respect of the soldier for himself. Never put a young soldier in the guardhouse if it is possible to avoid it. Many a young soldier gets started wrong by being kept in the guardhouse with bad men who are confined there because they can be managed in no other way.

(d) As far as possible use company punishment. Men respect an officer more who is able to handle his men without having to use outside means for discipline. To be able to run your company yourself is a great asset; be careful not to lose it.

(e) Give short talks to men on subjects which they ought to know. Be sure the talks are short. Have something to say; say it; then stop.

(f) Teach the soldier to have proper respect for his uniform. Teach him that if he becomes reeling drunk in his uniform or wears it to low dives he brings discredit upon himself and upon the uniform of his country.

(g) Be extremely careful about your manner in dealing with soldiers; they are entitled to a respectful and patient hearing. Some officers seem to go on the theory that military efficiency consists in a loud voice and an impatient manner.

(h) Don't attempt to gain cheap popularity by unofficerlike acts. Soldiers are not slow to size up an officer. They soon learn whether his interest in his men is feigned or real. They

respect and admire the officer who requires a strict performance of duty. The true rule for handling soldiers is: Don't nag them; don't neglect them; don't coddle them.

(i) Put responsibility for the squad squarely upon the shoulders of the corporal of the squad. Make him look after every detail—instruction, equipment, dress, neatness, general appearance, behavior.

(j) If any company officer can not call every man of his company by name, he should get busy at once.

(k) The officer who wants to succeed must be loyal to those above him. He is then on solid ground for expecting it from those below him.

(l) The value of any officer to the Government depends in large part upon how much attention he gives to duty. It is not how much ability an officer has, but how well he uses what he does have, that determines his value to the Government.

(m) It is the duty of the officer to prove his title and his worth by exhibiting superior knowledge. No organization will long respect an officer who has not the knowledge properly to instruct his men.

(n) Justice and promptness are the foundations of military discipline and military efficiency. It takes a level-headed man to maintain discipline and yet have every man feel that he has had a square deal.

(o) Teach the soldiers to be neat in person and clean and sober in their lives. Force of example is the greatest of all aids in this respect.

(p) There is something to be done; the *efficient* officer sets to work earnestly and loyally to do it, overcoming obstacles as he goes along. The *inefficient* officer either does nothing or spends his time discussing difficulties or in suggesting some other plan more to his liking.

APPENDIX A.

Sample of an Order from a Civil Official to a Military Officer Specifying the Acts Which the Troops Are to Perform.

The COMMANDING OFFICER,
Detachment, 91st N. J. Infantry.

SIR:

You are hereby directed to protect the lines of the-----
-----Street railway on Clinton Street, between State and
Perry Streets, and on State Street, between Clinton and Mon-
mouth Streets, in the city of-----

You will please prevent the blocking or delaying of traffic or
the injury of the passengers, employees, or damaging of property
of the said company; will prevent lounging or idling in the as-
signed district and the formation of crowds and will arrest and
turn over to the civil authorities all persons committing or at-
tempting to commit acts which you are instructed to prevent
and all other disorderly persons.

Respectfully,

JOHN DOE, *Sheriff.*

APPENDIX B.

Sample of an Order, or Proclamation, Issued by an Officer Assuming Command of a District Placed Under Martial Law.

HEADQUARTERS, -----

The county of ----- having been declared by
the governor of the State of ----- to be in a state of
insurrection and rebellion and the military forces of the State
having been ordered by the governor and commander in chief to
assume charge and restore order in said county, the commanding
officer of said military forces hereby proclaims the following
rules and regulations, which will be in force until further
orders:

(1) All persons in the possession of arms, equipments, and munitions of war are required to surrender the same on or before _____ to the _____ (indicating the officer or officers) at _____, taking receipt for the same.

(2) All persons who may heretofore have given aid to or otherwise supported the lawlessness hitherto existing in this county who shall return to peaceful occupations, holding no communication of any kind with a lawless person or persons, will not be disturbed.

(3) All rights of property of whatever kind will be held inviolate and will not be disturbed, except as the exigencies of the public welfare may necessitate, by direct command of the commanding officer of the district.

(4) All shops and places of business, except as hereinafter provided, will be kept open as usual in times of peace, and all persons are enjoined to continue their customary peaceful occupations.

(5) Excepting as herein provided or where the existence of martial law implies the contrary the usual laws of the community will be in force. Crimes will be subject to proper authority. Civil cases will await the ordinary tribunals.

(6) No publication, either by newspaper, pamphlet, handbill, or otherwise, reflecting in any way upon the United States or the State of _____, or their officers, or tending to influence the public mind against the United States or the State of _____, or their officers, and no article commenting in any way on the work or action of the military authorities will be permitted.

(7) All assemblages in the streets, either by day or by night, are prohibited.

(8) Any persons found on the streets who appear to be habitually idle and without visible means of support will be placed under arrest.

(9) While it is the desire of the authorities to exercise the powers of martial law mildly, it must not be supposed that they will not be vigorously and firmly enforced as occasion arises.

By command of _____

----- Adjutant ----- Military District.

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